



**PLANNING COMMISSION AGENDA**  
**PLANNING COMMISSION MEETING OF: JULY 14, 2005**

ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR ACTION UNLESS SPECIFICALLY NOTED OTHERWISE.

THESE PROCEEDINGS ARE BEING PRESENTED LIVE ON KCLV, CABLE CHANNEL 2. THE PLANNING COMMISSION MEETING, AS WELL AS ALL OTHER KCLV PROGRAMMING, CAN BE VIEWED ON THE CITY'S INTERNET AT [www.kclv.tv](http://www.kclv.tv). THE PROCEEDINGS WILL BE REBROADCAST ON KCLV CHANNEL 2 AND THE WEB SATURDAY AT 10:00 AM, THE FOLLOWING MONDAY AT MIDNIGHT AND TUESDAY AT 5:00 PM.

PLEDGE OF ALLEGIANCE was led by COMMISSIONER TROWBRIDGE.

CALL TO ORDER: 6:03 P.M. in Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada

ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

**MINUTES:**

**PRESENT:** CHAIRMAN TODD NIGRO, VICE CHAIRMAN RICHARD TRUESDELL, MEMBERS STEVEN EVANS, BYRON GOYNES, LEO DAVENPORT, DAVID STEINMAN and GLENN TROWBRIDGE

**STAFF PRESENT:** MARGO WHEELER – PLANNING & DEVELOPMENT DEPT., GARY LEOBOLD – PLANNING & DEVELOPMENT DEPT., KYLE WALTON – PLANNING & DEVELOPMENT DEPT., FLINN FAGG – PLANNING & DEVELOPMENT DEPT., DAVID GUERRA – PUBLIC WORKS, RICK SCHROEDER – PUBLIC WORKS, BRYAN SCOTT – CITY ATTORNEY'S OFFICE, STACEY CAMPBELL – CITY CLERK'S OFFICE, ANGELA CROLLI – CITY CLERK'S OFFICE

CHAIRMAN NIGRO extended a warm welcome to the new Planning Commissioner, GLENN TROWBRIDGE.

FLINN FAGG, Planning and Development Department, stated that the applicants for the following items requested the items be held in abeyance, tabled or withdrawn without prejudice. Letters are on file for each of the requests.

Item 18 [ZON-7051]	Abeyance to 8/11/2005 Planning Commission Meeting
Item 19 [SDR-6940]	Abeyance to 8/11/2005 Planning Commission Meeting
Item 21 [ZON-6880]	TABLED
Item 35 [SUP-6808]	Abeyance to 8/11/2005 Planning Commission Meeting
Item 37 [SUP-6932]	Abeyance to 7/28/2005 Planning Commission Meeting

MR. FAGG also indicated that staff requested the following item be held in abeyance, as the application requires a Major Modification that needs approval by City Council.

Item 1 [TMP-6609]                      Abeyance to 7/28/2005 Planning Commission Meeting

Regarding Item 4 [SNC-6884], staff requested the item be pulled from One Motion/One Vote so a discussion could take place, as there was an objection to the proposed street name change.

**TRUESELLE – Motion to HOLD IN ABEYANCE Item 1 [TMP-6609] and Item 37 [SUP-6932] to the 7/28/2005 Planning Commission Meeting; Item 18 [ZON-7051], Item 19 [SDR-6940] and Item 35 [SUP-6808] to the 8/11/2005 Planning Commission Meeting; and TABLE Item 21 [ZON-6880] – UNANIMOUS**

(6:06 – 6:08)



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: JULY 14, 2005**

**SUBJECT:**

Approval of the minutes of the June 9, 2005 Planning Commission Meeting

**MOTION:**

**TRUESDELL - APPROVED – UNANIMOUS with NIGRO and TROWBRIDGE  
abstaining as they were not present at the aforementioned meeting**

**MINUTES:**

There was no discussion.

(6:05)

**1- 60**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
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**CHAIRMAN NIGRO** announced the subdivision items could be appealed by the applicant or aggrieved person or a review requested by a member of the City Council.

**ACTIONS:**

ALL ACTIONS ON TENTATIVE AND FINAL SUBDIVISION MAPS ARE FINAL UNLESS AN APPEAL IS FILED BY THE APPLICANT OR AN AGGRIEVED PERSON, OR A REVIEW IS REQUESTED BY A MEMBER OF THE CITY COUNCIL WITHIN SEVEN DAYS OF THE DATE NOTICE IS SENT TO THE APPLICANT. UNLESS OTHERWISE INDICATED DURING THE MEETING, ALL OTHER ACTIONS BY THE PLANNING COMMISSION ARE RECOMMENDATIONS TO THE CITY COUNCIL, IN WHICH CASE ALL FINAL DECISIONS, CONDITIONS, STIPULATIONS OR LIMITATIONS ARE MADE BY THE CITY COUNCIL.

**CHAIRMAN NIGRO** read the statement on the order of the items and the time limitations on persons wishing to be heard on an item.

ANY ITEM LISTED IN THIS AGENDA MAY BE TAKEN OUT OF ORDER IF SO REQUESTED BY THE APPLICANT, STAFF, OR A MEMBER OF THE PLANNING COMMISSION. THE PLANNING COMMISSION MAY IMPOSE TIME LIMITATIONS, AS NECESSARY, ON THOSE PERSONS WISHING TO BE HEARD ON ANY AGENDA ITEM.



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**CHAIRMAN NIGRO noted the Rules of Conduct.**

**PLANNING COMMISSION MEETING RULES OF CONDUCT.**

1. Staff will present each item to the Commission in order as shown on the agenda, along with a recommendation and suggested conditions of approval, if appropriate.
2. The applicant is asked to be at the public microphone during the staff presentation. When the staff presentation is complete, the applicant should state his name and address, and indicate whether or not he accepts staff's conditions of approval.
3. If areas of concern are known in advance, or if the applicant does not accept staff's conditions, the applicant or his representative is invited to make a brief presentation of his item with emphasis on any items of concern.
4. Persons other than the applicant who support the request are invited to make brief statements after the applicant. If more than one supporter is present, comments should not be repetitive. A representative is welcome to speak and indicate that he speaks for others in the audience who share his view.
5. Objectors to the item will be heard after the applicant and any other supporters. All who wish to speak will be heard, but in the interest of time it is suggested that representatives be selected who can summarize the views of any groups of interested parties.
6. After all objectors' input has been received, the applicant will be invited to respond to any new issues raised.
7. Following the applicant's response, the public hearing will be closed; Commissioners will discuss the item amongst themselves, ask any questions they feel are appropriate, and proceed to a motion and decision on the matter.
8. Letters, petitions, photographs and other submissions to the Commission will be retained for the record. Large maps, models and other materials may be displayed to the Commission from the microphone area, but need not be handed in for the record unless requested by the Commission.

As a courtesy, we would also ask those not speaking to be seated and not interrupt the speaker or the Commission. We appreciate your courtesy and hope you will help us make your visit with the Commission a good and fair experience.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: JULY 14, 2005**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP ☒ **CONSENT** ☐ **DISCUSSION**

**SUBJECT:**

**TMP-6609 - TENTATIVE MAP - MANCHESTER PARK POD# 207-**  
**APPLICANT/OWNER: KB HOME NEVADA INC -** Request for a Tentative Map FOR A 252 LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 40.4 acres adjacent to the southwest corner of Farm Road and Shaumber Road (APN 126-13-301-005, 006 and 126-13-310-001), PD (Planned Development) Zone, Ward 6 (Ross).

**STAFF IS REQUESTING THIS ITEM BE HELD IN ABEYANCE TO THE 07/28/05 PC MEETING**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends ABEYANCE

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION**

**TRUEDELL – Motion to HOLD IN ABEYANCE Item 1 [TMP-6609] and Item 37 [SUP-6932] to the 7/28/2005 Planning Commission Meeting; Item 18 [ZON-7051], Item 19 [SDR-6940] and Item 35 [SUP-6808] to the 8/11/2005 Planning Commission Meeting; and TABLE Item 21 [ZON-6880] – UNANIMOUS**

**MINUTES:**

There was no discussion.

(6:06 – 6:08)

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP ☒ **CONSENT** ☐ **DISCUSSION**

**SUBJECT:**

**TMP-6878 - TENTATIVE MAP - KOBIE CREEK - APPLICANT: AMTI SUNBELT - OWNER: KOBIE CREEK, LLC** - Request for a Tentative Map FOR A 16 LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 6.18 acres at 4810 West Gowan Road (APN: 138-12-601-040), R-E (Residence Estates) Zone under Resolution of Intent to R-1 (Single Family Residential) Zone, Ward 6 (Ross).

**P.C. FINAL ACTION**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**TRUEDELL – APPROVED subject to conditions – UNANIMOUS**

**This is Final Action**

**MINUTES:**

CHAIRMAN NIGRO stated this is a Consent item.

COMMISSIONER DAVENPORT indicated he would not be voting in support of Item 3 [TMP-6942]. DEPUTY CITY ATTORNEY BRYAN SCOTT requested that a motion be taken on each Consent item individually.

(6:08 – 6:10)

**1-171**

**CONDITIONS:**

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map

PLANNING COMMISSION MEETING OF JULY 14, 2005  
Planning and Development Department  
Item 2 – TMP-6878

**CONDITIONS – Continued:**

- is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
2. All development shall conform to the Conditions of Approval for Rezoning (ZON-5765).
  3. Street names must be provided in accord with the City's Street Naming Regulations.
  4. All development is subject to the conditions of City Departments and State Subdivision Statutes.
  5. As an attachment to the civil bond, any part of which shall not be released until this condition has been satisfied and prior to the sale of any lots or units the developer is required to adopt a plan for the maintenance of infrastructure improvements. The plan is to include a listing of all infrastructure improvements, along with assignment of maintenance responsibility to common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the City of Las Vegas, and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. The adoption process must include recordation of the plan against all parcels.

Public Works

6. Construct raised medians within the Decatur Boulevard right-of-way, unless allowed otherwise by the City Traffic Engineer. The median will be allowed to provide full access to this site.
7. Site development to comply with all applicable conditions of approval for ZON-5765 and all other applicable site-related actions.
8. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written



PLANNING COMMISSION MEETING OF JULY 14, 2005  
Planning and Development Department  
Item 2 – TMP-6878

**CONDITIONS – Continued:**

approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP ☒ **CONSENT** ☐ **DISCUSSION**

**SUBJECT:**

**TMP-6942 - TENTATIVE MAP - CENTENNIAL PARK III - APPLICANT: SOUTHWEST HOMES - OWNER: LOWE'S HIW, INC** - Request for a Tentative Map FOR A 176 LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 17.31 acres near Jones Boulevard and Craig Road (APN 138-02-601-004), R-E (Residence Estates) Zone under Resolution of Intent to R-PD11 (Residential Planned Development - 11 Units per Acre) Zone, Ward 6 (Ross).

**P.C. FINAL ACTION**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**TRUEDELL – APPROVED subject to conditions – Motion carried with DAVENPORT voting NO**

**This is Final Action**

**MINUTES:**

CHAIRMAN NIGRO stated this is a Consent item.

COMMISSIONER DAVENPORT indicated he would not be voting in support of Item 3 [TMP-6942]. DEPUTY CITY ATTORNEY BRYAN SCOTT requested that a motion be taken on each Consent item individually.

(6:08 – 6:10)

PLANNING COMMISSION MEETING OF JULY 14, 2005  
Planning and Development Department  
Item 3 – TMP-6942

**CONDITIONS:**

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
2. All development shall conform to the Conditions of Approval for Rezoning (ZON-6300) and Site Development Plan Review (SDR-6307).
3. Street names must be provided in accord with the City's Street Naming Regulations.
4. All development is subject to the conditions of City Departments and State Subdivision Statutes.
5. As an attachment to the civil bond, any part of which shall not be released until this condition has been satisfied and prior to the sale of any lots or units the developer is required to adopt a plan for the maintenance of infrastructure improvements. The plan is to include a listing of all infrastructure improvements, along with assignment of maintenance responsibility to common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the City of Las Vegas, and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. The adoption process must include recordation of the plan against all parcels.

Public Works

6. Parcel Map PMP-5453 shall record prior to the recordation of a Final Map for this site.
7. Driveways shall be designed, located and constructed in accordance with Standard Drawings #222A and #225.
8. Site development to comply with all applicable conditions of approval for ZON-6300, SDR-6307, WVR-6441 and all other applicable site-related actions.

PLANNING COMMISSION MEETING OF JULY 14, 2005  
Planning and Development Department  
Item 3 – TMP-6942

**CONDITIONS – Continued:**

9. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

**SUBJECT:**

**SNC-6884 - STREET NAME CHANGE - PUBLIC HEARING - APPLICANT: CARTER AND BURGESS - OWNER: KB HOME NEVADA INC. - Request for a Street Name Change FROM: BUNKER RIDGE AVENUE TO: YOVANI AGUAYO AVENUE, adjacent to Alexander Road and Cliff Shadows Parkway, Ward 6 (Ross).**

**SET DATE: 08/03/05 C.C. 08/14/05**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

**MOTION:**

**TRUESEL – APPROVED subject to condition and amending the proposed street name to Baby Yovani Avenue – UNANIMOUS**

**To be forwarded to the City Council 8/17/2005**

**MINUTES:**

CHAIRMAN NIGRO declared the Public Hearing open.

FLINN FAGG, Planning & Development Department, explained that the proposed street name change was to honor the first baby born during the Las Vegas Centennial year. However, the Fire Communications division has objected to the name and has requested it be changed to either Baby Yovani Avenue or Yovani Baby Avenue. The applicant has agreed to Baby Yovani Avenue.

MICHAEL GREY, 6655 Bermuda Avenue, appeared on behalf of the applicant and requested

PLANNING COMMISSION MEETING OF JULY 14, 2005  
Planning and Development Department  
Item 4 – SNC-6884

**MINUTES – Continued:**

approval of the street name Baby Yovani Avenue.

No one appeared in opposition.

CHAIRMAN NIGRO declared the Public Hearing closed.  
(6:12 – 6:13)  
**1-271**

**CONDITION:**

Planning and Development

1. The applicant shall be responsible for all costs related to this Street Name Change including signage and installation.

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

**SUBJECT:**

**RQR-6793 - REQUIRED ONE YEAR REVIEW - PUBLIC HEARING - APPLICANT: LAMAR ADVERTISING - OWNER: GENERAL MILLS RESTAURANTS, INC. -** Required One Year Review of an approved Special Use Permit (U-0185-89), WHICH ALLOWED A 14 FOOT BY 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 1361 South Decatur Boulevard (APN 162-06-211-001), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian).

**C.C.: 08/17/05 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

**MOTION:**

**TRUEDELL – APPROVED subject to conditions – UNANIMOUS**

**To be heard by the City Council 8/17/2005**

**MINUTES:**

CHAIRMAN NIGRO explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

CHAIRMAN NIGRO declared the Public Hearing open.

PLANNING COMMISSION MEETING OF JULY 14, 2005  
Planning and Development Department  
Item 5 – RQR-6793

**MINUTES – Continued:**

There was no discussion.

CHAIRMAN NIGRO declared the Public Hearing closed.

(6:10 – 6:12)

**1-233**

**CONDITIONS:**

Planning and Development

1. This Special Use Permit shall be reviewed in two (2) years, at which time the City Council may require the Off-Premise Advertising (Billboard) Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign be removed.
2. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
3. Only one advertising sign is permitted per sign face.
4. If the existing Off-Premise Advertising (Billboard) Sign structure is removed, this Special Use Permit shall be expunged and a new Off-Premise Advertising (Billboard) Sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City of Las Vegas, or (2) the location is in compliance with all applicable standards of Title 19 including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
5. All City Code requirements and design standards of all City departments must be satisfied.



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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

**SUBJECT:**

**ABEYANCE - WVR-6606 - WAIVER - PUBLIC HEARING - APPLICANT/OWNER:**  
**DAY STAR VENTURES, LLC** - Request for a Waiver of Title 18.08.110 (C)(3) and Title 18.12.510 (A)(1) TO PERMIT SUBDIVISION PERIMETER WALLS WITH RETAINING WALLS TO EXCEED A WALL HEIGHT OF SEVEN FEET TEN INCHES AND PROVIDING A MINIMUM FOUR FOOT WIDE LANDSCAPED HORIZONTAL OFF-SET adjacent to the northeast corner of Farm Road and Jensen Road (APN 125-18-201-008), PD (Planned Development) Zone, Ward 6 (Ross).

**C.C. 08/17/05**

**PROTESTS RECEIVED BEFORE:**

<b>Planning Commission Mtg.</b>	<b>5</b>
<b>City Council Meeting</b>	

**APPROVALS RECEIVED BEFORE:**

<b>Planning Commission Mtg.</b>	<b>0</b>
<b>City Council Meeting</b>	

**RECOMMENDATION:**

Staff recommends DENIAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

**MOTION:**

**TRUESDELL – DENIED – UNANIMOUS**

**This is Final Action**

**MINUTES:**

CHAIRMAN NIGRO declared the Public Hearing open.

GARY LEOBOLD, Planning & Development Department, explained that there were two aspects of Title 19 the applicant was requesting relief from. The first was the height of the retaining wall and the second, the setback required at the top of a six foot or greater retaining wall to where the perimeter wall would be. Because of the slope on the site, there was an initial design that

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Planning and Development Department  
Item 6 – WVR-6606

**MINUTES – Continued:**

included an eight foot four inch retaining wall with a six-foot wall on top for a total height of fourteen feet four inches. That design did not offer any horizontal offset. The applicant has revised the plans to have the retaining wall portion not exceed six feet; however, the six-foot wall is on top of the retaining wall and is not offset so that portion of the waiver will need to continue on this item. If approved, Condition Number 1 would have to be amended to reflect the date stamp of the revised plans, which is 7/12/2005. A neighborhood meeting was not required or held. Also, the adjacent developer to the north and east was required to have a disclosure agreement as part of the addendum to the technical drainage study but that has not been done to date. Staff recommended denial because there is no offset provided for the twelve foot wall.

KEN NICHOLSON, VTN Nevada, 2727 South Rainbow Boulevard, appeared on behalf of the applicant. He indicated that meetings were held with staff and with former Councilman MICHAEL MACK and everyone agreed that offsetting a retaining wall against an existing retaining wall would create a four foot wide no man's land. Maintenance would be difficult; it would become a trash collector and would be a safety concern. MARGO WHEELER, Planning & Development Department, disagreed with MR. NICHOLSON'S comments that Planning staff agreed with the design of the most recent site plan. MR. NICHOLSON concurred that Planning staff was not involved in the meetings held with Public Works staff and COUNCILMAN MACK'S staff.

VICE CHAIRMAN TRUESDELL said he would not support the request. Several similar projects have come through in the last couple of years. As the growth progresses up the hillside, drainage is a critical issue. Walls such as the one proposed may mitigate the drainage issues but cause a safety concern. Better designs are available to solve these problems but it seems the developers do not want to take the time and try to implement them. The Vice Chairman was concerned about children climbing the walls and getting injured.

COMMISSIONER DAVENPORT agreed and recalled that there was a similar situation solved by building a rocky slope with the retaining wall behind it. He thought that would be more appropriate. He could not support the design as presented. MR. NICHOLSON said that during previous meetings, staff discouraged any type of design other than that proposed and there was no mention of the offset requirement. He felt the design was best as far as safety was concerned.

COMMISSIONER STEINMAN confirmed with MR. NICHOLSON that the lot is being filled slightly less than six feet. Hydrology has allowed the applicant to drain the lot towards the rear so only five feet of fill is required adjacent to the rear property line. COMMISSIONER STEINMAN noted that anyone climbing such a high wall could easily look into other people's yards. The Commissioner would not be supportive of the application.

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Planning and Development Department  
Item 6 – WVR-6606

**MINUTES – Continued:**

CHAIRMAN NIGRO said he would support Vice Chairman's motion for denial, but he would have supported having the separation between the walls with landscaping in between. MR. NICHOLSON explained several options he had presented to the drainage staff, including extending the open space, and staff was not supportive of any of his presentations. After working so closely with staff, he was surprised to encounter opposition regarding the offset.

No one appeared in opposition.

CHAIRMAN NIGRO declared the Public Hearing closed.

(6:13 – 6:31)

**1-328**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

**SUBJECT:**

**TMP-6927 - TENTATIVE MAP – PUBLIC HEARING - VALENCIA TERRACE - APPLICANT: PAGEANTRY COMMUNITIES - OWNER: BON BON, LLC** - Request for a Tentative Map FOR A 41 LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION AND A WAIVER OF TITLE 18.08.110 TO ALLOW A SIX-FOOT RETAINING WALL WHERE FOUR FEET IS THE MAXIMUM HEIGHT ALLOWED on 4.4 acres adjacent to the northeast corner of Diamond Head Drive and Pecos Road (APN 140-31-121-003), C-1 (Limited Commercial) Zone under Resolution of Intent to R-PD9 (Residential Planned Development- 9 Units per Acre), Ward 3 (Reese).

**P.C. FINAL ACTION**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

**0**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

**0**

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**EVANS – APPROVED** subject to conditions and amending the following condition:

2. A Waiver of Title 18.08.110 *and 18.12.510* requirements to allow a six-foot retaining wall where four feet is the maximum height allowed *and a four foot offset is required* are hereby approved.

– UNANIMOUS

**This is Final Action**

**MINUTES:**

CHAIRMAN NIGRO declared the Public Hearing open.

GARY LEOBOLD, Planning & Development Department, stated that the height of the proposed

PLANNING COMMISSION MEETING OF JULY 14, 2005  
Planning and Development Department  
Item 7 – TMP-6927

**MINUTES – Continued:**

retaining wall faces inward to the site, not outward to an adjacent site. The site has a two percent slope and per the subdivision Code, the project would be allowed a four-foot retaining wall with an offset. However, the project is proposing a six-foot wall. The wall is not proposed for the entire site, just a portion towards the west end of the site which runs for approximately 150 feet. Also, an unnoticed waiver is required for a small portion of the retaining wall in regards to a setback issue. Staff had no problem with that waiver because it affected a small portion of the site and is not a major issue. He suggested amended language on Condition 2 if approved and read that amendment into the record. MR. LEOBOLD also noted that a small portion of the wall along Pecos Road is shown with an eight and a half foot wall where eight feet is the maximum allowed.

TAMARA COLDSTAT, Pageantry Communities, 1333 North Buffalo Drive, Suite 220, appeared with the project engineer, DEBORAH JOHNSON, VTN Nevada, 2727 South Rainbow Boulevard, on behalf of the applicant. MS. JOHNSON asked if the top six inches of the wall could be wrought iron. MR. LEOBOLD indicated the wall height had to be dropped six inches so it did not exceed eight feet in height. MS. COLDSTAT concurred with all conditions and agreed to submit a modified site plan addressing the eight foot tall maximum wall height.

No one appeared in opposition.

CHAIRMAN NIGRO declared the Public Hearing closed.

(6:31 – 6:39)

**1-917**

**CONDITIONS:**

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
2. A Waiver of Title 18.08.110 requirements to allow a six-foot retaining wall where four feet is the maximum height allowed is hereby approved.
3. All development shall conform to the Conditions of Approval for Site Development Plan Review (SDR-5098).
4. Street names must be provided in accord with the City's Street Naming Regulations.

PLANNING COMMISSION MEETING OF JULY 14, 2005  
Planning and Development Department  
Item 7 – TMP-6927

**CONDITIONS – Continued:**

5. All development is subject to the conditions of City Departments and State Subdivision Statutes.
6. As an attachment to the civil bond, any part of which shall not be released until this condition has been satisfied and prior to the sale of any lots or units the developer is required to adopt a plan for the maintenance of infrastructure improvements. The plan is to include a listing of all infrastructure improvements, along with assignment of maintenance responsibility to common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the City of Las Vegas, and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. The adoption process must include recordation of the plan against all parcels.
7. Show the Sight Visibility Restriction Zones. Define Sight Visibility Restriction Zone (SVRZ) measurements as presented by Clark County Area Standard Drawing #201.2. The definition shall include the statement, “to be privately maintained”.
8. Site development to comply with all applicable conditions of approval for ZON-5092, SDR-5093 and all other applicable site-related actions.
9. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: JULY 14, 2005**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

**SUBJECT:**

**GPA-6485 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: PHYLLIS SKALAK - OWNER: SKALAK FAMILY TRUST** - Request to amend a portion of the Southwest Sector Plan of the General Plan FROM: L (LOW DENSITY RESIDENTIAL) TO: SC (SERVICE COMMERCIAL) on 0.30 acres at 6017 Fawn Avenue (APN 138-25-315-001), Ward 2 (Wolfson).

**C.C. 09/07/05**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>1</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends DENIAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

**MOTION:**

**DAVENPORT – DENIED – UNANIMOUS**

**To be forwarded to the City Council 9/07/2005**

**MINUTES:**

CHAIRMAN NIGRO declared the Public Hearing open on Item 8 [GPA-6485], Item 9 [ZON-6491] and Item 10 [SDR-6822].

KYLE WALTON, Planning & Development Department, explained that a residential component has been in place in this neighborhood for some time and the introduction of commercial to the area will cause an incompatible condition. The possible zoning designations that would be made allowable by conversion to Service Commercial (SC) would be incompatible. The growth in the area does not indicate this change is appropriate. In fact, the request conflicts with City policy, which states that uses be sensitive to the neighborhoods.

PLANNING COMMISSION MEETING OF JULY 14, 2005  
Planning and Development Department  
Item 8 – GPA-6485

**MINUTES – Continued:**

WILLIAM SKALAK III, 6017 Fawn Avenue, appeared on behalf of the property owners, his parents, BILL and PHYLLIS SKALAK. His parents have owned and operated the Skalak Swim School at the subject site since 1963. They have operated at this location with a home occupancy permit since 1968 with no problems associated with the operation of the school. A neighborhood meeting was held and no one protested the applications. He also noted that his mother was the City of Las Vegas Citizen of the Month in September of 2004 in recognition of her many years of service at the swim school.

MR. SKALAK explained that the request is not to change any aspect of the business from what has occurred in the past. His parents are hoping to lease or sell the school with the proper zoning instead of the home occupancy permit. He disagreed with staff's assessment that introducing commercial into the neighborhood would be incompatible. He described the surrounding area as apartments, a shopping center, the I-95 freeway expansion, some office uses and of course, homes. He listed some features of the site that he felt were unique and which qualified the site to receive spot zoning. The main characteristic was that it was located on an alley and there is not another site like that in the area. The traffic impact is nominal because the parking is off of the alley and the alley is the access.

COMMISSIONER DAVENPORT stated his concern was that the SC designation would allow a shopping center, a 7-11 or a bowling alley. The uses can be quite heavy. MR. SKALAK replied that Condition 4 on the zoning application would limit the uses permitted on the subject site. MR. WALTON confirmed for COMMISSIONER DAVENPORT that this would not be an allowable use under Professional Office (PR). Because they are asking for a school, it must be commercial, not office. He did not think he could support the application but would listen to the comments of the other Commissioners.

CHAIRMAN NIGRO said he had difficulty in approving a zoning that would allow for a swim school without the necessity of having the owners living onsite, which changed the dynamic of the application to him. In order for someone to buy the site as a functional school, the zoning is necessary. He feared setting a precedent of approving limited commercial zoning for a non-resident occupied structure to allow a swim school. He was hesitant to approve the application even with stringent conditions.

COMMISSIONER TROWBRIDGE asked if the swim school could still operate if no action was taken during the meeting. MARGO WHEELER, Director, Planning & Development, confirmed that as long as the operator of the swim school is living on the premises, there is no problem.

COMMISSIONER STEINMAN said he could see the area south of the site becoming office



PLANNING COMMISSION MEETING OF JULY 14, 2005  
Planning and Development Department  
Item 8 – GPA-6485

**MINUTES – Continued:**

uses. The requested zoning puts the property in a position to be sold as office. MR. SKALAK reminded him there is a very large swimming pool in the back and the business is successful. He anticipated someone would want to take over the business and keep it as a swim school. COMMISSIONER EVANS reiterated that nothing would prohibit someone else from coming in and operating the school with a home occupancy permit as long as they live in the home. He did not support changing the zoning to be more intense.

VICE CHAIRMAN TRUESDELL indicated that the current scenario is not an issue and it would most likely not be if someone were to lease the property and continue that operation, but he could not support changing the GPA to a greater intensity. The offices north of the site were approved for a zone change because nine lots applied together and agreed to strict conditions. Also, that proposal was an improvement over previous submittals for that site. He did not want to set a precedent that would be regretted later.

CHAIRMAN TROWBRIDGE said he was also concerned that for the business to operate legitimately, it could start commercialization going east on Fawn Avenue. The neighborhood is clearly residential.

No one appeared in opposition.

CHAIRMAN NIGRO declared the Public Hearing closed on Item 8 [GPA-6485], Item 9 [ZON-6491] and Item 10 [SDR-6822].

(6:39 – 7:07)  
**1-1200**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: JULY 14, 2005**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

**SUBJECT:**

**ZON-6491 - REZONING RELATED TO GPA-6485 - PUBLIC HEARING - APPLICANT: PHYLLIS SKALAK - OWNER: SKALAK FAMILY TRUST - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: N-S (NEIGHBORHOOD SERVICE) on 0.30 acres at 6017 Fawn Avenue (APN 138-25-315-001), Ward 2 (Wolfson).**

**C.C. 09/07/05**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>1</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends DENIAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

**MOTION:**

**DAVENPORT – DENIED – UNANIMOUS**

**To be forwarded to the City Council 9/07/2005**

**MINUTES:**

See Item 8 [GPA-6485] for related discussion on Item 8 [GPA-6485], Item 9 [ZON-6491] and Item 10 [SDR-6822].

(6:39 – 7:07)  
**1-1200**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: JULY 14, 2005**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

**SUBJECT:**

**SDR-6822 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-6485 AND ZON-6491 - PUBLIC HEARING - APPLICANT: PHYLLIS SKALAK - OWNER: SKALAK FAMILY TRUST** - Request for a Site Development Plan Review FOR A SWIM SCHOOL WITH A WAIVER OF THE PERIMETER, FOUNDATION AND PARKING LOT LANDSCAPING REQUIREMENTS AND A WAIVER TO ALLOW A 14.9 FOOT CORNER SIDE SETBACK WHERE 15 FEET IS REQUIRED on 0.29 acre at 6017 Fawn Avenue (APN 138-25-315-001), R-1 (Single Family Residential) Zone [PROPOSED: N-S (Neighborhood Service)], Ward 2 (Wolfson).

**C.C. 09/07/05**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>1</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends DENIAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

**MOTION:**

**DAVENPORT – DENIED – UNANIMOUS**

**To be forwarded to the City Council 9/07/2005**

**MINUTES:**

See Item 8 [GPA-6485] for related discussion on Item 8 [GPA-6485], Item 9 [ZON-6491] and Item 10 [SDR-6822].

(6:39 – 7:07)

**1-1200**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: JULY 14, 2005**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

**SUBJECT:**

**GPA-6882 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: LUCCHESI GALATI ARCHITECTS - OWNER: HOUSING AUTHORITY OF THE CITY OF LAS VEGAS** - Request to amend a portion of the Southeast Sector Plan of the General Plan FROM: ML (Medium Low Density Residential) TO: M (Medium Density Residential) on 8.13 acres at 3901 East Charleston Boulevard (APN 140-31-402-001), Ward 3 (Reese).

**C.C. 08/17/05**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

**MOTION:**

**EVANS – APPROVED – UNANIMOUS**

**To be forwarded to the City Council 8/17/2005**

**MINUTES:**

CHAIRMAN NIGRO declared the Public Hearing open on Item 11 [GPA-6882], Item 12 [ZON-6885] and Item 13 [SDR-6886].

GARY LEOBOLD, Planning & Development Department, explained that the request will change the density from a maximum of eight units per acre to twenty-five units per acre. The General Plan Amendment is appropriate because the site is within the neighborhood revitalization strategy area of the 2020 Master Plan and that has policies encouraging infill development on vacant or underutilized lots. This site has been unused as a residential project since 2002. The amendment will allow for a quality, multi-family product enhancement to the area. This project

PLANNING COMMISSION MEETING OF JULY 14, 2005  
Planning and Development Department  
Item 11 – GPA-6882

**MINUTES – Continued:**

will have 60 units for rent. The buildings will be one or two stories and will have attached one-car garages with a covered entryway and would function as an apartment complex. The 39-foot wide driveway provides circulation through the site and parking will be provided at the edge of the driveway.

MR. LEOBOLD noted that the applicant needed to revise their plan before being heard by the City Council to stripe the parking spaces in the driveway. He suggested Condition 3 of Item 13 [SDR-6886] be amended to ensure such revision.

HARRY RAY, Lucchesi-Galati Architects, 500 Pilot Road, appeared on behalf of the applicant and concurred with staff's conditions. He asked to discuss Condition 8 on Item 13 [SDR-6886]. The condition relates to the use of trash enclosures with dumpsters, and the owner would like to use individual trash containers that would be stored within the garage. The project is a paradigm shift for low-income housing. An attempt is being made to bring low-income housing up to the standards of a traditional neighborhood configuration. Garages, driveways and porches add in this attempt. The applicant is viewing trash collection with the same approach and would like to have individual trash collection.

MR. LEOBOLD questioned whether the applicant had confirmed with Republic Services that the proposed arrangement is feasible. If it is, staff would have no objection. AMPARO GAMAZO, Housing Authority of the City of Las Vegas, 340 North 11<sup>th</sup> Street, appeared on behalf of the applicant and indicated that Republic Services would provide door-to-door pick up in the proposed project. She also informed the Commission that Condition 18 requiring a homeowner's association could not be met. As a public agency, such an association could not be established. The Housing Authority will take responsibility for the maintenance and upkeep of the property. DAVID GUERRA, Department of Public Works, said that the condition could be revised to say a private maintenance association instead of homeowner's association.

COMMISSIONER TROWBRIDGE stated he supported this approach to attainable housing and asked what the development schedule would be for the project. MS. GAMAZO replied that the Housing Authority has applied for tax credits and does have a schedule that commences construction in February of 2006 with completion scheduled for the end of 2007.

VICE CHAIRMAN TRUESDELL felt that if the focus of the subdivision was to more closely match that of a traditional neighborhood, the residents should be encouraged to interact with a homeowner's association. MS. AMPARO explained that there are normally Resident Council groups that meet twice a month in Housing Authority developments. They are prohibited to form homeowner's associations and charge fees.

PLANNING COMMISSION MEETING OF JULY 14, 2005  
Planning and Development Department  
Item 11 – GPA-6882

**MINUTES – Continued:**

COMMISSIONER EVANS agreed with the Vice Chairman that the residents would feel a sense of ownership and involvement with an association. He would be comfortable with the idea of the Resident Council. The project will be an enhancement to the area and is needed.

DEPUTY CITY ATTORNEY BRYAN SCOTT clarified that although there would be a Resident Council, that body would not be responsible for maintenance of the common areas. The Housing Authority would be handling that duty.

No one appeared in opposition.

CHAIRMAN NIGRO declared the Public Hearing closed on Item 11 [GPA-6882], Item 12 [ZON-6885] and Item 13 [SDR-6886].

(7:07 – 7:24)

**1-2325/2-1**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: JULY 14, 2005**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

**SUBJECT:**

**ZON-6885 - REZONING RELATED TO GPA-6882 - PUBLIC HEARING - APPLICANT: LUCCHESI GALATI ARCHITECTS - OWNER: HOUSING AUTHORITY OF THE CITY OF LAS VEGAS - Request for a Rezoning FROM: R-2 (MEDIUM - LOW DENSITY RESIDENTIAL) TO: R-3 (MEDIUM DENSITY RESIDENTIAL) on 8.13 acres at 3901 East Charleston Boulevard (APN 140-31-402-001), Ward 3 (Reese).**

**C.C. 08/17/05**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

**MOTION:**

**EVANS – APPROVED subject to conditions – UNANIMOUS**

**To be forwarded to the City Council 8/17/2005**

**MINUTES:**

See Item 11 [GPA-6882] for related discussion on Item 11 [GPA-6882], Item 12 [ZON-6885] and Item 13 [SDR-6886].

(7:07 – 7:24)

**1-2325/2-1**

**CONDITIONS:**

Planning and Development

1. A General Plan Amendment (GPA-6882) to an M (Medium Density Residential) land use designation approved by the City Council.

PLANNING COMMISSION MEETING OF JULY 14, 2005  
Planning and Development Department  
Item 12 – ZON-6885

**CONDITIONS – Continued:**

2. A Resolution of Intent with a two-year time limit.
3. A Site Development Plan Review application (SDR-6886) approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

4. Dedicate an additional 5 feet of right-of-way for a total radius of 25 feet on the northeast corner of Charleston Boulevard and Honolulu Street prior to the issuance of any permits.
5. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
6. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: JULY 14, 2005**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

**SUBJECT:**

**SDR-6886 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-6882 AND ZON-6885 - PUBLIC HEARING - APPLICANT: LUCCHESI GALATI ARCHITECTS - OWNER: HOUSING AUTHORITY OF THE CITY OF LAS VEGAS -** Request for a Site Development Plan Review FOR A PROPOSED 60 UNIT MULTI-FAMILY DEVELOPMENT AND A WAIVER OF THE PARKING LOT LANDSCAPING REQUIREMENTS on 8.13 acres at 3901 East Charleston Boulevard (APN 140-31-402-001), R-2 (Medium-Low Density Residential) Zone [PROPOSED: R-3 (Medium Density Residential) Zone], Ward 3 (Reese).

**C.C. 08/17/05**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

**0**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

**0**

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

**MOTION:**

**EVANS – APPROVED** subject to conditions, deleting Condition 8 and amending the following conditions:

3. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit to reflect four additional on-site handicapped parking spaces *and to show all on-street spaces designed to meet ITE Traffic Engineering Handbook Standards and to stripe all such spaces on-street.*
18. The *property owner* shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

– UNANIMOUS

PLANNING COMMISSION MEETING OF JULY 14, 2005  
Planning and Development Department  
Item 13 – SDR-6886

**MOTION – Continued:**

**To be forwarded to the City Council 8/17/2005**

**MINUTES:**

See Item 11 [GPA-6882] for related discussion on Item 11 [GPA-6882], Item 12 [ZON-6885] and Item 13 [SDR-6886].

(7:07 – 7:24)  
**1-2325/2-1**

**CONDITIONS:**

Planning and Development

1. A General Plan Amendment (GPA-6882) to an M (Medium Density Residential) designation, and a Rezoning (ZON-6885) to a R-3 (Medium Density Residential and Apartment District) Zoning District approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City of Las Vegas. All development shall be in conformance with the site plan and building elevations, date stamped 05/27/05, except as amended by conditions herein.
3. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit to reflect four additional on-site handicapped parking spaces.
4. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 30% of the total landscaped area as turf.
5. A permanent underground sprinkler system shall be installed in all landscape areas as required by the City of Las Vegas and shall be permanently maintained in a satisfactory manner.
6. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. The landscape plan shall include irrigation specifications.
8. Refuse collection areas and dumpsters shall be enclosed by walls a minimum of six feet in height, finished in the same manner as the main structures within the development and shall follow the same design theme and use similar materials to those

PLANNING COMMISSION MEETING OF JULY 14, 2005  
Planning and Development Department  
Item 13 – SDR-6886

**CONDITIONS – Continued:**

used in the main structures. All such enclosures shall have solid metal gates, and shall have a roof. The refuse collection area shall not be located within 50 feet of the residentially zoned property to the north.

9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
10. Air conditioning units shall not be mounted on rooftops.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
12. A decorative 6-foot screening wall is required along the north, east, and south boundaries of the site. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials, and shall conform with the requirements listed in Title 19.08. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
13. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize downward-directed lights. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
14. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
15. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
16. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

17. Driveways shall be designed, located and constructed in accordance with Standard

PLANNING COMMISSION MEETING OF JULY 14, 2005  
Planning and Development Department  
Item 13 – SDR-6886

**CONDITIONS – Continued:**

Drawing #222A.

18. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
19. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
20. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-6885 and all other subsequent applicable site-related actions.
21. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first. We note that this subdivision is designed without knuckles and therefore requires approval for this deviation from standards.
22. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: JULY 14, 2005**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

**SUBJECT:**

**ZON-6928 - REZONING - APPLICANT: WILLIAM LYON HOMES - OWNER - LEECH WEST, LLC** - Request for a Rezoning FROM: R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT - 2 UNITS PER ACRE) TO: R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE) on 14.29 acres adjacent to the southwest corner of Jones Boulevard and Tropical Parkway (APN: 125-26-704-001, 002, 003 and 125-26-707-002 and 005), Ward 6 (Ross).

**C.C. 08/17/05**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>13</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends DENIAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted at Meeting – Petition of Opposition from Residents with 16 Signatures Submitted by William Zuk (filed under Item 14)

**MOTION:**

**DAVENPORT – APPROVED subject to conditions – Motion carried with EVANS voting NO**

**To be forwarded to the City Council 8/17/2005**

**MINUTES:**

CHAIRMAN NIGRO declared the Public Hearing open on Item 14 [ZON-6928], Item 15 [VAR-6930], Item 16 [WVR-6931] and Item 17 [SDR-6929].

KYLE WALTON, Planning & Development Department, gave an overview of the proposed project. He stated that the rezoning is inconsistent with Program C1.2 of the General Plan. The intensity of the proposed development will not protect and enhance the existing very low density residential development in the area south of Tropical Parkway and Jones Boulevard. The proposed lots are substantially smaller than the existing lots surrounding the proposed site.

PLANNING COMMISSION MEETING OF JULY 14, 2005  
Planning and Development Department  
Item 14 – ZON-6928

**MINUTES – Continued:**

The Variance request for open space would create an avoidable incompatibility with adjacent residential development, as it would remove buffering that is an integral part of the RPD standards. In addition, the applicant did not provide sufficient justification relative to any hardships. An alternate site design with the requisite open space would allow for conformance to the Title 19 requirements.

The applicant also submitted a Waiver request, which would allow for 176 feet between intersections of streets, where 220 feet is the Title 18 requirement. Again, it was staff's opinion that an alternate site design would allow for the correct separation distance between intersections.

Overall, the proposed development with such intense density is not consistent nor compatible with the existing larger lots and surrounding development. Consequently, staff recommended denial on the Rezoning request and all companion applications.

JENNIFER LAZOVICH, Attorney, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant. ATTORNEY LAZOVICH used the overhead to show the proposed site and the surrounding development. She stated to the east of the subject site is Jones Boulevard, a 100-foot right-of-way, and to the south of the subject site is Tropical Parkway, a 80-foot right-of-way. The subject site is approximately one half mile away from the Jones Boulevard off ramp to the beltway. North of the subject site and adjacent to Jones Boulevard are approved R-PD3 developments. She pointed out that these R-PD3 developments had General Plan Amendments (GPA) associated with the applications, but there is not a GPA with the subject proposed development.

She then gave a brief overview of the subject site. The proposed development complies with the Master Plan, which designates the subject area as rural and allows up to 3.49 dwelling units per acre. The subject site would have only single story lots. The developer has completed similar single story projects located north on Jones Boulevard and across the beltway, and those developments blend well within the communities. The proposed lot sizes range from 6,500 to over 10,000 square feet, and the smallest rear yard setback is 15 feet, which allows ample room for amenities. Some developers are finding that residents prefer utilizing their own backyards for recreation. She pointed out that the proposed development is split into two separate areas. The developer felt that it was not practical to have open space for a 50-unit project, as the lots are larger and have large backyards, so the open space would be used infrequently.

ATTORNEY LAZOVICH continued by stating there are a few restraints with the subject site. Given the proximity to the beltway and the width of Jones Boulevard, access onto this street is not feasible. In addition, access onto Tropical Parkway is not feasible, due to the required

dedicated right turn lane. As a result, it was reasonable to request a waiver to allow 176 feet

PLANNING COMMISSION MEETING OF JULY 14, 2005  
Planning and Development Department  
Item 14 – ZON-6928

**MINUTES – Continued:**

where 220 feet is required between street intersections. In addition, to avoid having ingress/egress on Jones Boulevard, it was logical to create one access point from Corbett Street and two other access points from Bronco Street and should not create any conflict with traffic. There is an existing stop light at Tropical Parkway and Jones Boulevard, which allows for access onto the beltway. Given the sensitive area, which is the existing four homes on the west side of Bronco Street, the developer side loaded four single story homes across the street from the existing four homes. She reiterated that the goal was to maintain a single story development, which is less intrusive to some of the existing adjacent homes.

ATTORNEY LAZOVICH concluded by stating that the proposed development would be an appropriate transition between Jones Boulevard and the surrounding rural homes.

WILLIAM ZUK, 5951 Bronco Street, stated he circulated a petition around the neighborhood. He made comments on behalf of the 12 out of the 16 residents who reside west of the subject site, who were in opposition of the proposed development. MR. ZUK submitted and read into the record the letter of opposition that included signatures. The residents did not oppose having development on the subject site; however, their main concerns were the requested zone change to four homes per acre, no open space, traffic congestion and decreased property values. The residents would like to see the original zoning remain as is, two homes per acre, which would continue to enhance the neighborhood and maintain their current lifestyle. MR. ZUK appreciated the developer's effort to maintain a single story development but did not want to see 50 lots on the subject site. The existing residents' lots are approximately 20,000 square feet, and there are residential estate lots on three sides of the subject site. Having approximately 29 lots on the subject site would be more acceptable to the residents.

JEFF MAZUR, 6230 Corbett Street, pointed out that their lots are zoned to allow horses. He opposed the subject development with the proposed 50 lots and believed it would create problems with the existing residents that could have horses on their properties. He would like to see the rural lifestyle maintained with the current zoning.

CHAIRMAN NIGRO and staff clarified for ANNA SALCEDO, 5396 Decatur Boulevard, that the item she wished to express comments on was Item No. 5 [RQR-6793].

COMMISSIONER STEINMAN expressed concern for having access from Bronco Street and felt it would be more appropriate to have the access from the north parcel through the subject property. He felt the conflict was on Corbett Street and Swapp Street. He suggested closing the piece of property on Corbett Street and having an exit point from El Campo Grande Avenue, which would cut down some traffic exiting off of Corbett Street.



PLANNING COMMISSION MEETING OF JULY 14, 2005  
Planning and Development Department  
Item 14 – ZON-6928

**MINUTES – Continued:**

COMMISSIONER EVANS concurred with staff's recommendation for denial. He commented that under traditional zoning, the RPD concept is to allow developers to have greater density with the quid pro quo that the developer provided some aspect of open space. He expressed concern as the City continues to grow, particularly in the northwest, there will be a point and time when individuals will question the density that has been allowed on some of these parcels. With the subject development, the applicant proposed zero open space, yet the requirement is 32,369 square feet. The Commissioner appreciated the developer's contribution in lieu of open space; however, he did not feel that the applicant adequately justified eliminating the open space and was seeking more so to profit from the subject development. Even though he could support a greater density on such a development, given the fact that it is a unique property that is located on Jones Boulevard, he still could not support the variance and waiver requests.

VICE CHAIRMAN TRUESDELL referenced parcels, such as one on Buffalo Drive, where portions are developed; however, some parcels might not have the best design and end up being in fill pieces. Open space is a sensitive issue, but he felt that efforts have been made to create facilities, such as parks and schools, where there is open space. The Vice Chairman felt the development would work better if it was turned 90° and the streets came out on Corbett Street, which would eliminate one of the entrances on Bronco Street. This would be a legitimate solution to make the proposed development a good transition site. He supported the subject development and preferred that the entrances be on Corbett Street.

CHAIRMAN NIGRO expressed concern for compatibility issues relative to the proposed density and the existing neighborhood. He questioned if the developer would consider addressing some of these issues. ATTORNEY LAZOVICH responded that the applicant would be willing to rotate the site 90° so there would be one entrance on Corbett Street.

COMMISSIONER DAVENPORT initially did not support the subject development because of the proposed zero open space. After discussions with the developer and at this meeting, he could support the applications, with the caveat that the minimum lot size would be 6,500 square feet and that all lots would be single story. ATTORNEY LAZOVICH concurred with all conditions, including the amended and added conditions. She confirmed for COMMISSIONER STEINMAN that the south parcel on El Campo Grande would be removed. She also confirmed with the Chairman that they will meet with the residents to discuss these changes and any other recommendations on the Site Plan prior to City Council. She would ensure that staff received the revised Site Plan prior to City Council to allow time to review it.

CHAIRMAN NIGRO declared the Public Hearing closed on Item 14 [ZON-6928], Item 15 [VAR-6930], Item 16 [WVR-6931] and Item 17 [SDR-6929].

(6:39 – 7:07)

**1-1200**

PLANNING COMMISSION MEETING OF JULY 14, 2005  
Planning and Development Department  
Item 14 – ZON-6928

**CONDITIONS:**

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. Waiver WVR-6931, Variance VAR-6930 and Site Development Plan Review SDR-6929 for a 50 lot single family subdivision approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Dedicate 40 feet of right-of-way adjacent to this site for Tropical Parkway, where such does not exist, and 30 feet for Corbett Street, where such does not exist, prior to the issuance of any permits. Also, show appropriate public street dedications in accordance with Standard Drawings #234.1, #234.2 and #234.3 for bus turnouts. The dedication of right of way for right turn lanes and dual left turn lanes will be required at the time of recordation of the final map for this site, if such dedications are required by the Traffic Engineer.
4. Construct half-street improvements including appropriate overpaving, if legally able, on Tropical Parkway, Bronco Street, El Campo Grande and Corbett Street adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. The installation of sidewalk and streetlights on both Bronco Street & Corbett may be deferred if allowed by City Council. If deferral of improvements is allowed, a covenant for the deferred improvements must be provided prior to the issuance of any permits or recordation of a map further subdividing this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
5. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage

PLANNING COMMISSION MEETING OF JULY 14, 2005  
Planning and Development Department  
Item 14 – ZON-6928

**CONDITIONS – Continued:**

improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: JULY 14, 2005**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

**SUBJECT:**

**VAR-6930 - VARIANCE RELATED TO ZON-6928 - PUBLIC HEARING - APPLICANT: WILLIAM LYON HOMES - OWNER: LEECH WEST, LLC** - Request for a Variance TO ALLOW ZERO OPEN SPACE WHERE 32,369 SQUARE FEET IS REQUIRED FOR A PROPOSED SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 14.29 acres adjacent to the southwest corner of Jones Boulevard and Tropical Parkway (APNs 125-26-704-001, 002, 003, 125-26-707-002, and 125-26-707-005), U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] and R-E (Residence Estates) Zone under Resolution of Intent to R-PD2 (Residential Planned Development - 2 Units per Acre) Zone, Ward 6 (Ross).

**C.C. 08/17/05**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

**14**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

**0**

**RECOMMENDATION:**

Staff recommends DENIAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted at Meeting – Petition of Opposition from Residents with 16 Signatures Submitted by William Zuk (filed under Item 14)

**MOTION:**

**DAVENPORT – APPROVED subject to conditions – Motion carried with EVANS voting NO**

**To be forwarded to the City Council 8/17/2005**

**MINUTES:**

See Item 14 [ZON-6928] for related discussion on Item 14 [ZON-6928], Item 15 [VAR-6930], Item 16 [WVR-6931] and Item 17 [SDR-6929].

(7:24 – 7:54)

**2-402**

PLANNING COMMISSION MEETING OF JULY 14, 2005  
Planning and Development Department  
Item 15 – VAR-6930

**CONDITIONS:**

Planning and Development

1. Conformance to the Conditions of Approval Waiver WVR-6931, Rezoning ZON-6928, and Site Development Plan Review SDR-6929.
2. This Variance shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: JULY 14, 2005**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

**SUBJECT:**

**WVR-6931 - WAIVER RELATED TO ZON-6928 AND VAR-6930 - PUBLIC HEARING - APPLICANT: WILLIAM LYON HOMES - OWNER: LEECH WEST, LLC - Request for a Waiver of Title 18.12.160 TO ALLOW APPROXIMATELY 176 FEET BETWEEN STREET INTERSECTIONS WHERE 220 FEET IS THE MINIMUM DISTANCE SEPARATION REQUIRED on 14.29 acres adjacent to the southwest corner of Jones Boulevard and Tropical Parkway (APNs 125-26-704-001, 002, 003, 125-26-707-002, and 125-26-707-005), U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] and R-E (Residence Estates) Zone under Resolution of Intent to R-PD2 (Residential Planned Development - 2 Units per Acre) Zone, Ward 6 (Ross).**

**C.C. 08/17/05**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

**13**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

**0**

**RECOMMENDATION:**

Staff recommends DENIAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted at Meeting – Petition of Opposition from Residents with 16 Signatures Submitted by William Zuk (filed under Item 14)

**MOTION:**

**DAVENPORT – APPROVED subject to conditions – Motion carried with EVANS voting NO**

**To be forwarded to the City Council 8/17/2005**

**MINUTES:**

See Item 14 [ZON-6928] for related discussion on Item 14 [ZON-6928], Item 15 [VAR-6930], Item 16 [WVR-6931] and Item 17 [SDR-6929].

(7:24 – 7:54)

**2-402**

PLANNING COMMISSION MEETING OF JULY 14, 2005  
Planning and Development Department  
Item 16– WVR-6931

**CONDITIONS:**

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning ZON-6928, Variance VAR-6930, and Site Development Plan Review SDR-6929.
2. All City Code Requirements and all City Departments design standards shall be met, other than those waived or varied through this and companion applications.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: JULY 14, 2005**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

**SUBJECT:**

**SDR-6929 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-6928, VAR-6930, AND WVR-6931 - APPLICANT: WILLIAM LYON HOMES – OWNER: LEECH WEST, LLC** - Request for a Site Development Plan Review for a 50 LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 14.29 acres adjacent to the southwest corner of Jones Boulevard and Tropical Parkway (APN 125-26-704-001, 002, 003 and 125-26-707-002 and 005), Ward 6 (Ross).

**C.C. 08/17/05**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

**13**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

**0**

**RECOMMENDATION:**

Staff recommends DENIAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted at Meeting – Petition of Opposition from Residents with 16 Signatures Submitted by William Zuk (filed under Item 14)

**MOTION:**

**DAVENPORT – APPROVED** subject to conditions, amending the following condition:

1. *All the homes shall be limited to single story.*

And adding the following conditions:

- The minimum lot size shall be 6,500 net square feet.
- Swapp Street shall access to El Campo Grande Avenue and not Corbett Street.
- Howard Street and Prokopchuk Court shall access Corbett Street and not Bronco Street.

– Motion carried with EVANS voting NO

To be forwarded to the City Council 8/17/2005



PLANNING COMMISSION MEETING OF JULY 14, 2005  
Planning and Development Department  
Item 17 – SDR-6929

**MINUTES:**

See Item 14 [ZON-6928] for related discussion on Item 14 [ZON-6928], Item 15 [VAR-6930], Item 16 [WVR-6931] and Item 17 [SDR-6929].

(7:24 – 7:54)

**2-402**

**CONDITIONS:**

Planning and Development

1. The homes on Lots 33 through 40 shall be limited to single story.
2. A Rezoning ZON-6928, Waiver WVR-6931, and Variance VAR-6930 approved by the City Council.
3. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
4. All development shall be in conformance with the site plan and building elevations, date stamped 05/31/05, except as amended by conditions herein.
5. The setbacks for this development shall be a minimum of 10 feet to the front of the house, 18 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 5 feet on the side, 5 feet on the corner side, and 15 feet in the rear.
6. The conceptual landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect five additional minimum 24-inch box trees planted a maximum of 30 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters.
7. A permanent underground sprinkler system shall be installed in all landscape areas as required by the City of Las Vegas and shall be permanently maintained in a satisfactory manner.
8. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. The landscape plan shall include irrigation specifications.
9. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

PLANNING COMMISSION MEETING OF JULY 14, 2005  
Planning and Development Department  
Item 17 – SDR-6929

**CONDITIONS – Continued:**

10. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed.
11. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.
12. Prior to approval of the Final Map Mylar, two final landscape plans must be submitted for review and approval by the Planning and Development Department in conformance with the conditions of approval.
13. Air conditioning units shall not be mounted on rooftops.
14. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
15. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials, and shall conform with the requirements listed in Title 19.08. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
16. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
17. All City Code requirements and design standards of all City departments.

Public Works

18. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
19. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

PLANNING COMMISSION MEETING OF JULY 14, 2005  
Planning and Development Department  
Item 17 – SDR-6929

**CONDITIONS – Continued:**

20. A Homeowners' Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
21. Site development to comply with all applicable conditions of approval for ZON-6928 and all other subsequent site-related actions.
22. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.
23. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: JULY 14, 2005**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

**SUBJECT:**

**ZON-7051 - REZONING – PUBLIC HEARING - APPLICANT/OWNER: GMB LLC. -**  
Request for a Rezoning FROM: U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL)  
GENERAL PLAN DESIGNATION] TO: C-1 (LIMITED COMMERCIAL) on 0.51 acres at  
2047 N. Decatur Boulevard (APN 138-24-611-060), Ward 5 (Weekly).

**C.C. 08/17/05**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

**MOTION:**

**TRUESEDELL – Motion to HOLD IN ABEYANCE Item 1 [TMP-6609] and Item 37 [SUP-6932] to the 7/28/2005 Planning Commission Meeting; Item 18 [ZON-7051], Item 19 [SDR-6940] and Item 35 [SUP-6808] to the 8/11/2005 Planning Commission Meeting; and TABLE Item 21 [ZON-6880] – UNANIMOUS**

**MINUTES:**

There was no discussion.

(6:06 – 6:08)

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: JULY 14, 2005**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

**SUBJECT:**

**SDR-6940 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-7051 - PUBLIC HEARING - APPLICANT/OWNER: GMB LLC** - Request for a Site Development Plan Review FOR A PROPOSED 11,561 SQUARE FOOT COMMERCIAL DEVELOPMENT AND WAIVERS OF THE PARKING LOT AND FOUNDATION LANDSCAPING REQUIREMENTS on 1.5 acres adjacent to the northeast corner of Lake Mead Boulevard and Decatur Boulevard (APN 138-24-611-060, 061, and 062), C-1 (Limited Commercial) Zone, Ward 5 (Weekly).

**C.C. 08/17/05**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

**MOTION:**

**TRUESDELL** – Motion to **HOLD IN ABEYANCE** Item 1 [TMP-6609] and Item 37 [SUP-6932] to the 7/28/2005 Planning Commission Meeting; Item 18 [ZON-7051], Item 19 [SDR-6940] and Item 35 [SUP-6808] to the 8/11/2005 Planning Commission Meeting; and **TABLE** Item 21 [ZON-6880] – **UNANIMOUS**

**MINUTES:**

There was no discussion.

(6:06 – 6:08)  
**1-88**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: JULY 14, 2005**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

**SUBJECT:**

**ZON-6774 - REZONING - PUBLIC HEARING - APPLICANT: CLIFF'S EDGE, LLC - OWNER: KILAUEA TRUST I AND WAIMEA LIMITED PARTNERSHIP** - Request for a Rezoning FROM: U (UNDEVELOPED) [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] TO: PD (PLANNED DEVELOPMENT) on 5.0 acres adjacent to the northwest corner of Hualapai Way and Deer Springs Way (APN 126-24-601-013), Ward 6 (Ross).

**C.C. 08/17/05**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

**MOTION:**

**DAVENPORT – APPROVED subject to conditions – UNANIMOUS with STEINMAN not voting**

**To be forwarded to the City Council 8/17/2005**

**MINUTES:**

CHAIRMAN NIGRO declared the Public Hearing open.

KYLE WALTON, Planning & Development Department, explained that the proposed zoning is consistent with the existing land use. It is also consistent with the surrounding Cliff's Edge development.

JOHN LELEU, Attorney, Kummer Kaempfer Bonner and Renshaw, 3800 Howard Hughes Pkwy., appeared on behalf of the applicant. He thanked staff for their approval and concurred with all conditions.

PLANNING COMMISSION MEETING OF JULY 14, 2005  
Planning and Development Department  
Item 20 – ZON-6774

**MINUTES – Continued:**

No one appeared in opposition.

CHAIRMAN NIGRO declared the Public Hearing closed.

(7:54 – 7:56)

**2-1460**

**CONDITIONS:**

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. All City Code requirements and design standards of all City departments must be satisfied.
3. A Multi-Use Transportation which conforms to the design standards of the Transportation Trails Element shall be constructed along the Hualapai Way frontage.

Public Works

4. Dedicate 50 feet of right-of-way adjacent to this site for Hualapai Way and provide a 20-foot wide common element adjacent to the right-of-way dedication to accommodate the Providence master planned street corridor to be privately maintained by the Homeowners' Association for this site or the association created by the Master Developer.
5. If not already constructed by the Master Developer, construct half-street improvements including appropriate overpaving (if legally able) on Hualapai Way adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete). In addition, a minimum of two lanes of paved, legal access to the nearest constructed public street shall be in place prior to final inspection of any units within this site.
6. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be

PLANNING COMMISSION MEETING OF JULY 14, 2005  
Planning and Development Department  
Item 20 – ZON-6774

**CONDITIONS – Continued:**

responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: JULY 14, 2005**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

**SUBJECT:**

**ZON-6880 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: QUAIL VALLEY VIEW, LLC** - Request for a Rezoning FROM: P-R (PROFESSIONAL OFFICE AND PARKING) TO: C-1 (LIMITED COMMERCIAL) on 2.22 acres at 2801 South Valley View Boulevard (APN 162-07-601-001), Ward 1 (Tarkanian).

**THE APPLICANT REQUESTS THIS ITEM BE TABLED**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends TABLE

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

**MOTION:**

**TRUESEDELL** – Motion to **HOLD IN ABEYANCE** Item 1 [TMP-6609] and Item 37 [SUP-6932] to the 7/28/2005 Planning Commission Meeting; Item 18 [ZON-7051], Item 19 [SDR-6940] and Item 35 [SUP-6808] to the 8/11/2005 Planning Commission Meeting; and **TABLE** Item 21 [ZON-6880] – **UNANIMOUS**

**MINUTES:**

There was no discussion.

(6:06 – 6:08)

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: JULY 14, 2005**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

**SUBJECT:**

**VAR-6952 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: OR LAND INVESTMENT, LLC** - Request for a Variance TO ALLOW A ZERO FRONT STEPBACK RATIO WHERE A 1:1 STEPBACK RATIO IS REQUIRED ALONG A COLLECTOR OR LARGER STREET FOR A 197 FOOT TALL BUILDING on 5.48 acres adjacent to the southwest corner of Lake Mead Boulevard and Rancho Drive (APN 139-19-611-002), C-2 (General Commercial) Zone, Ward 5 (Weekly).

**C.C.: 08/17/05 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>1</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>2</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

**MOTION:**

**TRUEDELL – APPROVED subject to conditions – UNANIMOUS**

**To be forwarded to the City Council 8/17/2005**

**MINUTES:**

CHAIRMAN NIGRO declared the Public Hearing open on Item 22 [VAR-6952], Item 23 [SUP-6947], Item 24 [SUP-6948] and Item 25 [SDR-6946].

FLINN FAGG, Planning & Development Department, stated there was a previous request on this site for a mixed-use development that proposed five towers with 500 units and 90,000 square feet of retail space, which was tabled at City Council. The applicant has since revised the site plan down to two, 16-story towers, approximately 300 units and 12,000 square feet of retail space. There are waivers required for residential adjacency and perimeter landscaping along Rancho Drive. Staff supported the waivers because the massing of the project is located along Rancho

PLANNING COMMISSION MEETING OF JULY 14, 2005  
Planning and Development Department  
Item 22 – VAR-6952

**MINUTES – Continued:**

Drive to mitigate impacts to adjacent properties and also, because enhanced pedestrian amenities along Rancho Drive will be provided.

The requested Variance related to a setback requirement is standard among all commercial arterials and collector streets. Because of the massing of the project and design, staff felt the project complied with the intent of the Ordinance and recommended approval. A Special Use Permit is requested for the airport overlay district. The applicant has contacted the Federal Aviation Administration (FAA) and the application complies with the requirements of the overlay district. The Special Use Permit necessary to allow mixed-use in commercial district is acceptable to staff as well.

BILL CURRAN, Attorney, Curran & Perry, 300 South 4<sup>th</sup> Street, appeared on behalf of the applicant and confirmed the information given during staff report. He recalled the Planning Commission was concerned about the previous application being too intense, especially with regard to the commercial aspect. Now that Wal-Mart has proposed a store in the area, the applicant has agreed that 90,000 square feet would be too much retail. Also, the proposed commercial space on this new application will be open to the public but is intended to serve the complex, not the entire neighborhood. The applicant has met with neighbors, both commercial and residential. The meeting was well attended and the majority of attendees supported the item.

COMMISSIONER TROWBRIDGE questioned the notification process with regard to the FAA and asked for status of that approval. ATTORNEY CURRAN indicated communication has been ongoing, most recently, two weeks prior, and although approval has not been granted, the applicant is aware a condition exists that approval must be obtained. The FAA's most recent request pertained to questions regarding the elevations of the corners of the parking garage. The applicant is working with the FAA and will comply with any conditions they put forth.

COMMISSIONER GOYNES said that he supported this project in its previous version and that the current proposal is even better. This corridor can support a project such as this, and he looked forward to seeing it come into the area.

COMMISSIONER STEINMAN asked about a notation in the back up regarding the residential adjacency standards. MR. FAGG clarified that the parking structures are 60 feet away from the adjacent property to the west. The towers are located on Rancho Drive so they are farther than 60 feet away.

VICE CHAIRMAN TRUESDELL said that he was not supportive of the previous application for this site mainly because the amount of proposed retail did not seem compatible with the project.

PLANNING COMMISSION MEETING OF JULY 14, 2005  
Planning and Development Department  
Item 22 – VAR-6952

**MINUTES – Continued:**

This new proposal is an improvement and the corridor can absorb it. It can succeed and be an asset to the area. He commended the applicant for bringing back a better project than that which was originally seen. He would support the application.

ATTORNEY CURRAN welcomed COMMISSISONER TROWBRIDGE to the Planning Commission. Knowing the history of the Commissioner's public service record, he knew the other Board members would enjoy working with him as much as ATTORNEY CURRAN has in the past.

CHAIRMAN NIGRO declared the Public Hearing closed on Item 22 [VAR-6952], Item 23 [SUP-6947], Item 24 [SUP-6948] and Item 25 [SDR-6946].

(7:56 – 8:08)

**2-1528**

**CONDITIONS:**

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-6947), Special Use Permit (SUP-6948), and Site Development Plan Review (SDR-6946).
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. Acquire all necessary permits from the Department of Building and Safety.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: JULY 14, 2005**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

**SUBJECT:**

**SUP-6947 - SPECIAL USE PERMIT RELATED TO VAR-6952 - PUBLIC HEARING - APPLICANT/OWNER: OR LAND INVESTMENT, LLC** - Request for a Special Use Permit FOR A 197 FOOT TALL BUILDING WHERE 35 FEET IS THE MAXIMUM HEIGHT ALLOWED IN THE AIRPORT OVERLAY ZONE adjacent to the southwest corner of Lake Mead Boulevard and Rancho Drive (APN 139-19-611-002), C-2 (General Commercial) Zone, Ward 5 (Weekly).

**C.C.: 08/17/05 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>1</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>2</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

**MOTION:**

**TRUEDELL – APPROVED subject to conditions – UNANIMOUS**

**To be forwarded to the City Council 8/17/2005**

**MINUTES:**

See Item 22 [VAR-6952] for related discussion on Item 22 [VAR-6952], Item 23 [SUP-6947], Item 24 [SUP-6948] and Item 25 [SDR-6946].

(7:56 – 8:08)

**2-1528**

**CONDITIONS:**

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.06.080 for a project in the Airport Overlay District.

PLANNING COMMISSION MEETING OF JULY 14, 2005  
Planning and Development Department  
Item 23 – SUP-6947

**CONDITIONS – Continued:**

2. Approval of and conformance to the Conditions of Approval for applications submitted for a Variance (VAR-6952), Special Use Permit (SUP-6948) and a Site Development Plan Review (SDR-6946).
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: JULY 14, 2005**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

**SUBJECT:**

**SUP-6948 - SPECIAL USE PERMIT RELATED TO VAR-6952 AND SUP-6947 - PUBLIC HEARING - APPLICANT/OWNER: OR LAND INVESTMENT, LLC** - Request for a Special Use Permit FOR A MIXED USE DEVELOPMENT adjacent to the southwest corner of Lake Mead Boulevard and Rancho Drive (APN 139-19-611-002), C-2 (General Commercial) Zone, Ward 5 (Weekly).

**C.C.: 08/17/05 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>1</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>2</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

**MOTION:**

**TRUESDELL – APPROVED subject to conditions – UNANIMOUS**

**To be forwarded to the City Council 8/17/2005**

**MINUTES:**

See Item 22 [VAR-6952] for related discussion on Item 22 [VAR-6952], Item 23 [SUP-6947], Item 24 [SUP-6948] and Item 25 [SDR-6946].

(7:56 – 8:08)

**2-1528**

**CONDITIONS:**

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Mixed Use development.

PLANNING COMMISSION MEETING OF JULY 14, 2005  
Planning and Development Department  
Item 24 – SUP-6948

**CONDITIONS – Continued:**

2. Approval of and conformance to the Conditions of Approval for applications submitted for a Variance (VAR-6952), Special Use Permit (SUP-6947) and a Site Development Plan Review (SDR-6946).
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: JULY 14, 2005**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

**SUBJECT:**

**SDR-6946 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-6952, SUP-6947, AND SUP-6948 - PUBLIC HEARING - APPLICANT/OWNER: OR LAND INVESTMENT, LLC** - Request for a Site Development Plan Review FOR A MIXED USE DEVELOPMENT INCLUDING; TWO 16-STORY TOWERS WITH A TOTAL OF 300 RESIDENTIAL UNITS AND 12,548 SQUARE FEET OF COMMERCIAL SPACE AND WAIVERS OF THE THE RESIDENTIAL ADJACENCY STANDARDS AND PERIMETER LANDSCAPING REQUIREMENTS on 5.48 acres adjacent to the southwest corner of Lake Mead Boulevard and Rancho Drive (APN 139-19-611-002), C-2 (General Commercial) Zone, Ward 5 (Weekly).

**C.C.: 08/17/05 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.  
City Council Meeting

2

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.  
City Council Meeting

2

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

**MOTION:**

**TRUESDELL – APPROVED subject to conditions – UNANIMOUS**

**To be forwarded to the City Council 8/17/2005**

**MINUTES:**

See Item 22 [VAR-6952] for related discussion on Item 22 [VAR-6952], Item 23 [SUP-6947], Item 24 [SUP-6948] and Item 25 [SDR-6946].

(7:56 – 8:08)

**2-1528**

PLANNING COMMISSION MEETING OF JULY 14, 2005  
Planning and Development Department  
Item 25 – SDR-6946

**CONDITIONS:**

Planning and Development

1. Approval of and conformance to the Conditions of Approval for applications submitted for a Variance (VAR-6952), Special Use Permit (SUP-6947) and a Special Use Permit (SUP-6948).
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City of Las Vegas.
3. All development shall be in conformance with the site plan date stamped 7/06/05 and building elevations, date stamped 5/31/05, except as amended by conditions herein.
4. A Waiver from the 3:1 residential adjacency standards is hereby approved, to allow a 60- foot set back.
5. A Waiver from the perimeter landscape buffer standards is hereby approved, to allow less than 15 feet along Rancho Drive per the landscape plan date stamped 7/06/05.
6. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a tentative map, to reflect a maximum lot coverage of 50% per Title 19.08.
7. The conceptual landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center on the western property line with a minimum of four five-gallon shrubs for each tree within provided planters.
8. A permanent underground sprinkler system shall be installed in all landscape areas as required by the City of Las Vegas and shall be permanently maintained in a satisfactory manner.
9. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. The landscape plan shall include irrigation specifications.
10. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

PLANNING COMMISSION MEETING OF JULY 14, 2005  
Planning and Development Department  
Item 25 – SDR-6946

**CONDITIONS – Continued:**

11. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum of 22% reflectivity.
12. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
13. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
14. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials, and shall conform with the requirements listed in Title 19.08. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
15. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize downward-directed lights. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
16. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
17. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
18. All City Code requirements and design standards of all City departments must be satisfied.

**Public Works**

19. Construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site; the connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network; the connecting sidewalk shall be terminated on-site with a handicap ramp.

PLANNING COMMISSION MEETING OF JULY 14, 2005  
Planning and Development Department  
Item 25 – SDR-6946

**CONDITIONS – Continued:**

20. Provide a copy of a recorded Joint Access Agreement between this site and the following Assessor's Parcel Numbers: 139-19-611-004, 139-19-113-001, and 139-19-612-000 prior to the issuance of any permits.
21. Obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Rancho Drive right-of-way adjacent to this site prior to the issuance of any permits.
22. Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
23. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainage ways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the

PLANNING COMMISSION MEETING OF JULY 14, 2005  
Planning and Development Department  
Item 25 – SDR-6946

**CONDITIONS – Continued:**

- amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer. This site is within a FEMA Flood Zone “A”.
24. No structures shall be permitted within the existing 50-foot Public Drainage Easement located along the eastern perimeter of this site, unless the approved Drainage Plan/Study provides an alternative design that allows for the vacation of portions of said easement that are currently underlying the proposed structures.
  25. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.
  26. Site development to comply with all applicable conditions of approval for Rancho/Lake Mead Commercial Subdivision and all other applicable site-related actions.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: JULY 14, 2005**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

**SUBJECT:**

**VAR-6953 – VARIANCE – PUBLIC HEARING - APPLICANT: CREATIVE DESIGN ARCHITECTURE - OWNER: MEZZA, LLC.** - Request for a Variance TO ALLOW A 55-FOOT SETBACK WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A MINIMUM SETBACK OF 78 FEET FOR A PROPOSED COMMERCIAL BUILDING on 0.53 acres at 2200 N. Decatur Boulevard (APN 138-24-511-059), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 5 (Weekly).

**C.C. 08/17/05**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

**1**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

**0**

**RECOMMENDATION:**

Staff recommends DENIAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

**MOTION:**

**TRUESEL – Motion to HOLD IN ABEYANCE – UNANIMOUS**

**To be held in abeyance to the 8/11/2005 Planning Commission Meeting**

**MINUTES:**

CHAIRMAN NIGRO declared the Public Hearing open on Item 26 [VAR-6953], Item 27 [VAR-6955] and Item 28 [SDR-6950].

FLINN FAGG, Planning and Development Department, explained that the proposed commercial building required two variances from residential adjacency requirements and parking requirements. The applicant is requesting an 11 space reduction from the number required. Regarding the Site Development Plan Review, there are parking concerns and a condition has been imposed requiring an access agreement. The applicant had not yet provided such, so they do not yet have the right to pass onto the adjacent property. Staff recommended denial because

PLANNING COMMISSION MEETING OF JULY 14, 2005  
Planning and Development Department  
Item 26 – VAR-6953

**MINUTES – Continued:**

they do not meet the criteria listed in the Code of Ordinances and because of the design of the site plan. The project does not conform to the Commercial Development Standards.

RAMI ATOUT, Creative Design Architecture, 6835 Village Center Circle, Suite 150, appeared on behalf of the applicant and described the project as 6,200 square feet of limited commercial retail on a narrow and long half-acre lot. A condition of approval is a cross-access agreement with the adjacent property to the north; however, the three attempts to negotiate signature with that property owner have failed. The applicant concurred with all other conditions except the condition requiring that access agreement. Staff's comments have been incorporated into the design to the best ability of the applicant and MR. ATOUT felt the design was a 300 percent improvement over the original design.

MR. ATOUT indicated the hardship the applicant feels is not financial but caused by the location, size and narrowness of the lot. Without the cross-access agreement, the number of parking spaces that can be provided is limited. Regarding the residential adjacency, the site is 55 feet and 72 feet is required. The building height is 24 feet. The request for the higher parapet is to comply with a condition requiring all mechanical elements be screened from street view. The main access to the property would be off of Decatur Boulevard with another driveway to the rear to help alleviate the layout of the site plan. He asked if he had any recourse against the neighbor who refused to sign the cross access agreement.

VICE CHAIRMAN TRUESDELL said he understood the applicant was having a difficult time gaining signature of the cross-access agreement but without that document, the project is very limited with almost no circulation. The lot would be a dead-end in the back. Without that agreement, the project would need to be redesigned because even with the agreement, the parking is challenged with regard to traffic and parking. The site is very small and with the drives and entrances proposed, he could not support what would happen on the site.

MR. ATOUT indicated that after meeting with Planning and Public Works staff, everyone agreed the applicant is limited to this type of design for access on Decatur Boulevard. For the driveway off of Eugene Avenue, a turn around has been incorporated into plans in case the agreement cannot be signed and that would allow the traffic to back out to exit the property. VICE CHAIRMAN TRUESDELL said it was not good to have people backing out. Everyone on the site will be forced to back up and there is no circulation. There are four dead end runs. MR. ATOUT stated the applicant could add another driveway onto Eugene Avenue. The Commissioner did not think Public Works would allow that because it is so close to the intersection and that would worsen the congestion on Decatur Boulevard.

PLANNING COMMISSION MEETING OF JULY 14, 2005  
Planning and Development Department  
Item 26 – VAR-6953

**MINUTES – Continued:**

MR. ATOUT said he would be happy to accept any advice the Commission might have and then try to incorporate those suggestions into the plan. The neighbors on Eugene Avenue do not want a driveway used for access. Pushing the building forward would encroach further into the setback and that is not acceptable either.

CHAIRMAN NIGRO explained that staff is requiring a cross-access agreement before proceeding with the plan. The applicant has indicated that three attempts have been made to have the adjacent property owner sign the agreement and all three have failed. Without that agreement, any plan that goes forward would be materially different than the plan being viewed currently. He was uncomfortable moving the item forward knowing there would not be a cross access agreement. As far as recourse against that property owner, the City has no way to force their signature. It must be obtained voluntarily. If the application were to be approved by Planning Commission and City Council, building permits would not be issued without that cross access agreement because it is a condition of approval. He suggested the applicant work on the redesign now to come up with a plan that does not contemplate cross access.

MR. ATOUT asked if the applicant were to reduce the size of the building and keep the driveways with a connector street, would it be approvable. CHAIRMAN NIGRO suggested the item be held in abeyance to allow the applicant time to draft such a plan for the Commission to review. MR. ATOUT agreed and also stated he would make another attempt to have the adjacent property owner sign the agreement.

COMMISSIONER GOYNES suggested that during the redesign, the applicant avoid directing traffic down Eugene Avenue to the west because the neighbors in that area are vocal and it is a mature neighborhood and they would most likely oppose it. MR. ATOUT informed the Commissioner that they are trying to make sure the main access to the site is from Decatur Boulevard.

No one appeared in opposition.

CHAIRMAN NIGRO declared the Public Hearing closed on Item 26 [VAR-6953], Item 27 [VAR-6955] and Item 28 [SDR-6950].

(8:08 – 8:25)

**2-2008**



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: JULY 14, 2005**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

**SUBJECT:**

**VAR-6955 - VARIANCE RELATED TO VAR-6953 – PUBLIC HEARING - APPLICANT: CREATIVE DESIGN ARCHITECTURE - OWNER: MEZZA, LLC.** - Request for a Variance TO ALLOW 25 PARKING SPACES WHERE 36 SPACES ARE REQUIRED FOR A PROPOSED COMMERCIAL BUILDING on 0.53 acres at 2200 N. Decatur Boulevard (APN 138-24-511-059), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 5 (Weekly).

**C.C. 08/17/05**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>1</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends DENIAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

**MOTION:**

**TRUEDELL – Motion to HOLD IN ABEYANCE – UNANIMOUS**

**To be held in abeyance to the 8/11/2005 Planning Commission Meeting**

**MINUTES**

See Item 26 [VAR-6953] for related discussion on Item 26 [VAR-6953], Item 27 [VAR-6955] and Item 28 [SDR-6950].

(8:08 – 8:25)

**2-2008**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: JULY 14, 2005**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

**SUBJECT:**

**SDR-6950 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-6955 AND VAR-6953 - PUBLIC HEARING - APPLICANT: CREATIVE DESIGN ARCHITECTURE - OWNER: MEZZA, LLC.** - Request FOR A PROPOSED 6,200 SQUARE FOOT COMMERCIAL BUILDING AND A WAIVER OF THE PERIMETER LANDSCAPING REQUIREMENTS on 0.53 acres at 2200 N. Decatur Boulevard (APN 138-24-511-059), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 5 (Weekly).

**C.C. 08/17/05**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>1</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends DENIAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

**MOTION:**

**TRUESDELL – Motion to HOLD IN ABEYANCE – UNANIMOUS**

**To be held in abeyance to the 8/11/2005 Planning Commission Meeting**

**MINUTES**

See Item 26 [VAR-6953] for related discussion on Item 26 [VAR-6953], Item 27 [VAR-6955] and Item 28 [SDR-6950].

(8:08 – 8:25)

**2-2008**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: JULY 14, 2005**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

**SUBJECT:**

**VAR-6772 - VARIANCE - PUBLIC HEARING - APPLICANT: W.C. STARTZMAN - OWNER: STARTZMAN FAMILY TRUST** - Request for a Variance TO ALLOW AN EXISTING ACCESSORY STRUCTURE TO BE 17.25 FEET TALL, WHICH IS TALLER THAN THE MAIN STRUCTURE, WHERE SUCH IS NOT ALLOWED; A 5.75 FOOT REAR SETBACK WHERE 15 FEET IS REQUIRED; ZERO FOOT SIDE SETBACK WHERE FIVE FEET IS REQUIRED; AND THE ACCESSORY STRUCTURE TO BE 3.5 FEET FROM THE MAIN STRUCTURE WHERE SIX FEET IS REQUIRED on 0.21 acres at 2000 Santa Ynez Drive (APN 162-03-417-033), R-1 (Single Family Residential) Zone, Ward 3 (Reese).

**C.C. 08/17/05**

**PROTESTS RECEIVED BEFORE:**

<b>Planning Commission Mtg.</b>	<b>8</b>
<b>City Council Meeting</b>	

**APPROVALS RECEIVED BEFORE:**

<b>Planning Commission Mtg.</b>	<b>6</b>
<b>City Council Meeting</b>	

**RECOMMENDATION:**

Staff recommends DENIAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted at Planning Commission Meeting – Copy of City Inspection Report dated 5/20/1998 by William Startzman
6. Submitted at Planning Commission Meeting – Three protest letters by Richard Reid

**MOTION:**

**GOYNES – DENIED – UNANIMOUS with DAVENPORT abstaining because his wife owns property located within the Notification Area**

**To be forwarded to City Council 8/17/2005**

**MINUTES:**

CHAIRMAN NIGRO declared the Public Hearing open.

GARY LEOBOLD, Planning & Development Department, explained that on February 28, 2005,

PLANNING COMMISSION MEETING OF JULY 14, 2005  
Planning and Development Department  
Item 29 – VAR-6772

**MINUTES – Continued:**

Neighborhood Response issued a citation for a large metal carport constructed on the subject site without a permit. The carport was not in compliance with Code. The Planning Department subsequently received the subject application. The accessory structure is taller than the main structure and the side setback of the property comes within zero feet with the storage shed portion of the building and five feet is required. The structure is within five and three quarter feet of the rear property line and 15 feet are required. Also an accessory structure should be six feet from the building and this measures only three and a half feet.

Staff believed this property to be for the purpose of revenue as the owner does not live in the home. The owner does, however, store his motor home in this structure. There is no hardship and the violations of Title 19 are self imposed.

WILLIAM STARTZMAN, applicant, 2000 Santa Ynez Drive appeared with his attorney, BARRY LEVINSON, 2810 South Rainbow Boulevard. MR. STARTZMAN stated the accessory structure existed on the property when he purchased it on January 3<sup>rd</sup>, 2005. The only alteration he made to the structure was to lift the building up approximately seven feet. Additional work remains to be done such as the curb cuts, the driveway on St. Louis Avenue and the installation of the garage door. The building will look nice when it is finished.

ATTORNEY LEVINSON indicated that MR. LEOBOLD was incorrect in calling the home a rental property. MR. STARTZMAN does live in the home and purchased the home so he could retire there and put his motor home in the subject structure. He felt his client was being harassed since there were no previous complaints filed until MR. STARTZMAN raised the structure.

MR. STARTZMAN showed some photos of the property as it looked when he purchased it and also submitted for the record, an inspection report from the Building and Safety Department. He also informed the Commission that the Planning Department was given a petition of support that he generated in his neighborhood, which contained 26 signatures. The immediate neighbors are in support of the structure. He noted that there are commercial properties adjacent to his site. MR. STARTZMAN'S wife (no name given) also confirmed they will be living in the home. She stated that there are no neighborhood rules and regulations prohibiting what they have done. CHAIRMAN NIGRO clarified the issue was a Code violation not a neighborhood association issue.

MARGO WHEELER, Director, Planning and Development Department, confirmed with her staff that there were no building permits in the application file for this site.

BUTCH NAGEY, 555 Canosa Avenue and GAIL OLSEN, 1814 Beverly Way, spoke in support

PLANNING COMMISSION MEETING OF JULY 14, 2005  
Planning and Development Department  
Item 29 – VAR-6772

**MINUTES – Continued:**

of the structure and felt it would beautify the neighborhood to keep the motor home there. DEKE COSMOS, 550 St. Louis Avenue, stated he was a painter and he could help MR. STARTZMAN improve the aesthetics of the structure and agreed it was better to park the motor home there than on the street. MATIANA AMORA, 554 Canosa Avenue, lives about two blocks away from the subject site and had no problem with the structure as it is. She thought MR. STARTZMAN should be allowed to finish the structure because it is an improvement and bothers no one. TOBY TOBIAS, 1814 Beverly Way, agreed with MS. AMORA in saying the building should be finished.

RICHARD REID, 548 Canosa Avenue; CAROL and PAUL CEFFALIO, 546 Canosa Avenue; PENNYE CALDWELL, 553 East St. Louis Avenue and MIKE BERRY, 549 East St. Louis Avenue, spoke in protest of the structure and found it to be an eyesore. MR. REID submitted three letters of protest from his neighbors on Canosa Avenue. MS. CEFFALIO said the property was an eyesore before MR. STARTZMAN raised the structure. She thought the motor home would be better on his driveway and the structure should come down. MR. CEFFALIO said a lot of money has been invested into renovating this area and this is not conducive with the neighborhood.

JOHN DELIKANAKIS, 548 Barbara Way, said his neighborhood is a redevelopment area. It is attracting people and encouraging people to improve their homes. He appreciated MR. STARTZMAN'S initiative to improve his property but it must be done while complying with Code. The Code ensures properties are improved in conformance with the rest of the neighborhood and with the building to which it is attached. No one noticed the structure until it was raised. It is an eyesore.

ATTORNEY LEVINSON stated tearing down the structure would cost thousands of dollars. MR. STARTZMAN wants to be a member of the community and would be caused an extreme hardship if required to remove the structure. MR. STARTZMAN explained the structure has not been altered in any way except for raising it up. The footprint is the same.

VICE CHAIRMAN TRUESDELL said he had made several trips down this street in the last year and did not notice the structure until it was raised. It changes the profile of the street and the neighbor's concerns are justified. He also thought that if the neighbors had concerns about the structure, they might have spoken with the applicant prior to the meeting. The fact is, the building does not meet the setbacks and is not compatible. He doubted the finished product would diminish the impact on the neighborhood. The Commissioner could not support the item and was unsure if he would support the structure even if it were lowered.

PLANNING COMMISSION MEETING OF JULY 14, 2005  
Planning and Development Department  
Item 29 – VAR-6772

**MINUTES – Continued:**

MR. STARTZMAN stated he understood that Code allowed a structure up to 35 feet in height. MR. LEOBOLD clarified that the main structure could be up to 35 feet but attaching the accessory structure would not resolve the issue. Also, if it was part of the house, the setback requirements would increase.

COMMISSIONER EVANS wondered if MR. STARTZMAN had any recourse against the previous homeowner. CHAIRMAN NIGRO said after the acquisition has taken place, a lawsuit would be the only recourse if the sellers misrepresented themselves. COMMISSIONER EVANS wanted to be sure MR. STARTZMAN did not feel as if he were being penalized for moving to Las Vegas. He said his main issue with the structure is that it is ugly and an eyesore. The neighbors have become very active in trying to improve the community. The structure is tin and barn-like. If it were behind the home and possibly made with masonry or another acceptable material, he might be able to support it but as is, he could not.

COMMISSIONER GOYNES acknowledged the work done in the neighborhood by the residents, MR. DELIKANAKIS and MR. CONTINE. The neighborhood is in transition and this project is not in line with what is planned for that area.

CHAIRMAN NIGRO declared the Public Hearing closed.

(8:45 – 9:19)

**3-2806**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: JULY 14, 2005**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

**SUBJECT:**

**VAR-6796 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: MICHAEL AND SHELLEY MAUPIN** - Request for a Variance TO ALLOW A 27 FOOT SETBACK WHERE 35 FEET IS REQUIRED FOR A PROPOSED ADDITION on 0.48 acres at 7751 North Jones Boulevard (APN 125-13-201-006), R-E (Residence Estates) Zone, Ward 6 (Ross).

**P.C. FINAL ACTION**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends DENIAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

**MOTION:**

**EVANS – APPROVED** subject to conditions and adding the following condition:

- *The applicant shall not increase the nonconforming aspects of the current building with regard to setback distance.*

– **UNANIMOUS**

**This is Final Action**

**MINUTES:**

CHAIRMAN NIGRO declared the Public Hearing open.

GARY LEOBOLD, Planning and Development Department, explained that there are three areas on the application proposed for additions. A large area in the southwest corner is being added as a workroom. Another addition is proposed above that large area where the family room is being popped out. Finally, in the northeast, there is a proposed closet expansion. A portion of the existing building is located within the required rear setback, which makes this a nonconforming building. Per Code, it is possible to make additions to a nonconforming building but not so that

PLANNING COMMISSION MEETING OF JULY 14, 2005  
Planning and Development Department  
Item 30 – VAR-6796

**MINUTES – Continued:**

they increase the degree of nonconformity. The closet in the northeast corner would make the setback even smaller. Also, because of the angled dimension of the lot, the living room pop out would have to be angled or staggered so that the addition does not get closer to the property line. Staff recommended denial because there was no evidence of legal hardship. He suggested that if the Commission chooses to approve the item, an additional condition should be added prohibiting the increase of nonconformity.

MIKE MAUPIN, applicant, 7751 North Jones Boulevard, appeared and stated the closet could be shortened to satisfy Code. Regarding the living room expansion, he disagreed that the pop out proposed for the living room would extend past the existing 30 foot measurement from the property line. After discussion, MR. LEOBOLD stated that if MR. MAUPIN'S description was accurate, staff would be fine with the shortening of the closet and the living room addition could remain as proposed. He reiterated that per Code, the degree of nonconformity could not be increased by any of the proposed additions.

COMMISSIONER EVANS confirmed with MR. MAUPIN that he had received verbal approval from his abutting neighbors but that he did not bring written approval. The Commissioner felt the application was minor in nature and he had no problem supporting it. MR. LEOBOLD assisted the Commissioner in drafting the amended language for a new condition.

No one appeared in opposition.

CHAIRMAN NIGRO declared the Public Hearing closed.  
(9:19 – 9:26)

**3-619**

**CONDITIONS:**

Planning and Development

1. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted.

Public Works

2. Coordinate with the Clark County Health District to determine if the existing septic tank permit will accommodate the additional square footage of the dwelling; alternatively coordinate with the City of Las Vegas Collection Systems Planning Section of the Department of Public Works regarding connection to the City of Las Vegas sewer system.



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: JULY 14, 2005**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

**SUBJECT:**

**SUP-6916 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: HENNESSEY'S TAVERN, INC. - OWNER: FREMONT STREET EXPERIENCE PARKING CORPORATION** - Request for a Special Use Permit FOR A PROPOSED TAVERN AND A WAIVER OF THE 1,500 FOOT SEPARATION REQUIREMENT FROM A SIMILAR USE at 425 East Fremont Street, Suite #110 (APN 139-34-610-045), C-2 (General Commercial) Zone, Ward 1 (Tarkanian).

**C.C.: 08/17/05 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

**MOTION:**

**GOYNES – APPROVED** subject to conditions and deleting Condition 4 – **UNANIMOUS** with **TRUESDELL** abstaining because he manages a building located within the Notification Area.

**To be forwarded to City Council 8/17/2005**

NOTE: Vice Chairman Truesdell stated that he manages a building located within the notification area and although he did not think a conflict existed, in an abundance of caution, he would abstain.

**MINUTES:**

CHAIRMAN NIGRO declared the Public Hearing open on Item 31 [SUP-6916], Item 32 [SUP-6915] and Item 33 [SDR-6914].

FLINN FAGG, Planning & Development Department, stated that the subject property is located

PLANNING COMMISSION MEETING OF JULY 14, 2005  
Planning and Development Department  
Item 31 – SUP-6916

**MINUTES – Continued:**

within the Downtown Casino Overlay District, which makes it eligible for the separation distance requirement. MR. FAGG noted that Condition 4 on Item 31 and Item 32 should be deleted, as the condition is not applicable to these applications and should have been removed prior to the meeting. The applicant proposes to add outdoor dining in front of the existing structure, which will be on a raised platform and will encroach 15 feet into the pedestrian mall area. Staff did not anticipate problems with pedestrian circulation and recommended approval.

PAUL HENNESSEY, 2877 Paradise Road, appeared on behalf of the owner and requested approval.

JOHN COLE, Chief Operating Officer, Fremont Street Experience, 425 Fremont Street, also appeared and requested approval. He was excited about the proposed project. MR. HENNESSEY is a very successful entrepreneur in Southern California with 15 similar projects and should be successful in the Fremont Street Experience.

MR. HENNESSEY confirmed with MARGO WHEELER, Director, Planning & Development Department, that his required encroachment is not approved with any of these applications, and he would have to come back before the Board with a separate application.

No one appeared in opposition.

CHAIRMAN NIGRO declared the Public Hearing closed on Item 31 [SUP-6916], Item 32 [SUP-6915] and Item 33 [SDR-6914].

(9:26 – 9:31)

**3-863**

**CONDITIONS:**

Planning and Development

1. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City of Las Vegas.
2. A Site Development Plan Review (SDR- 6914) application approved by the City of Las Vegas prior to issuance of any permits, any site grading, and all development activity for the site.
3. Approval of this Special Use Permit does not constitute approval of a liquor license.

PLANNING COMMISSION MEETING OF JULY 14, 2005  
Planning and Development Department  
Item 31 – SUP-6916

**CONDITIONS – Continued:**

4. The sale of alcoholic beverages shall be limited to the sale of beer and wine only
5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
6. All City Code requirements and design standards of all City departments must be satisfied.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: JULY 14, 2005**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

**SUBJECT:**

**SUP-6915 - SPECIAL USE PERMIT RELATED TO SUP-6916 - PUBLIC HEARING - APPLICANT: HENNESSEY'S TAVERN, INC. - OWNER: FREMONT STREET EXPERIENCE PARKING CORPORATION - Request for a Special Use Permit FOR A PROPOSED TAVERN AND A WAIVER OF THE 1,500 FOOT SEPARATION REQUIREMENT FROM A SIMILAR USE at 425 East Fremont Street, Suite #120 (APN 139-34-610-045), C-2 (General Commercial) Zone, Ward 1 (Tarkanian).**

**C.C.: 08/17/05 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

**0**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

**0**

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

**MOTION:**

**GOYNES – APPROVED subject to conditions and deleting Condition 4 – UNANIMOUS with TRUESDELL abstaining because he manages a building located within the Notification Area.**

**To be forwarded to City Council 8/17/2005**

NOTE: Vice Chairman Truesdell stated that he manages a building located within the notification area and although he did not think a conflict existed, in an abundance of caution, he would abstain.

**MINUTES:**

See Item 31 [SUP-6916] for related discussion on Item 31 [SUP-6916], Item 32 [SUP-6915] and Item 33 [SDR-6914].

(9:26 – 9:31)

**3-863**

PLANNING COMMISSION MEETING OF JULY 14, 2005  
Planning and Development Department  
Item 32 – SUP-6915

**CONDITIONS:**

Planning and Development

1. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City of Las Vegas.
2. A Site Development Plan Review (SDR- 6914) application approved by the City of Las Vegas prior to issuance of any permits, any site grading, and all development activity for the site.
3. Approval of this Special Use Permit does not constitute approval of a liquor license.
4. The sale of alcoholic beverages shall be limited to the sale of beer and wine only.
5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
6. All City Code requirements and design standards of all City departments must be satisfied.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: JULY 14, 2005**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

**SUBJECT:**

**SDR-6914 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-6915 AND SUP-6916 - PUBLIC HEARING - APPLICANT: HENNESSEY'S TAVERN, INC. - OWNER: FREMONT STREET EXPERIENCE PARKING CORPORATION** - Request for a Site Development Plan Review FOR TWO TAVERNS on 2.5 acres at 425 East Fremont Street (APN 139-34-610-045), C-2 (General Commercial) Zone, Ward 1 (Tarkanian).

**C.C.: 08/17/05 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

**0**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

**0**

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

**MOTION:**

**GOYNES – APPROVED subject to conditions – UNANIMOUS with TRUESDELL abstaining because he manages a building located within the Notification Area.**

**To be forwarded to City Council 8/17/2005**

NOTE: Vice Chairman Truesdell stated that he manages a building located within the notification area and although he did not think a conflict existed, in an abundance of caution, he would abstain.

**MINUTES:**

See Item 31 [SUP-6916] for related discussion on Item 31 [SUP-6916], Item 32 [SUP-6915] and Item 33 [SDR-6914].

(9:26 – 9:31)  
**3-863**

PLANNING COMMISSION MEETING OF JULY 14, 2005  
Planning and Development Department  
Item 33 – SDR-6914

**CONDITIONS:**

Planning and Development

1. Special Use Permits (SUP-6915 and SUP-6916) to allow the Liquor Establishments (Taverns) approved by the City of Las Vegas.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City of Las Vegas.
3. All development shall be in conformance with the site plan and building elevations, date stamped 05/31/05, except as amended by conditions herein.
4. Signage shall be subject to the Las Vegas Boulevard Scenic Byway Overlay District as indicated in Title 19.06.140.
5. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum of 22% reflectivity.
6. All mechanical equipment, air conditioners and trash areas shall be fully screened from street level and surrounding building views in accordance with Subsection DS5.1.j. Service areas shall be screened from pedestrian or street view, utilizing landscaping and/or architectural elements that are consistent with the design and materials of the primary building.
7. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
8. All City Code requirements and design standards of all City departments must be satisfied.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: JULY 14, 2005**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

**SUBJECT:**

**SUP-6807 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: MAX MARKET LLC - OWNER: GWHC OF NEVADA, LLC - Request for a Special Use Permit FOR A LIQUOR ESTABLISHMENT (PACKAGE LIQUOR) OFF-SALE at 8450 West Sahara Avenue, Suite #117 (APN 163-04-406-004), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian).**

**C.C.: 08/17/05 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

**0**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

**0**

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

**MOTION:**

**EVANS – APPROVED subject to conditions – UNANIMOUS**

**To be forwarded to City Council 8/17/2005**

NOTE: Vice Chairman Truesdell stated that he manages a building located within the notification area and although he did not think a conflict existed, in an abundance of caution, he would abstain.

**MINUTES:**

CHAIRMAN NIGRO declared the Public Hearing open.

FLINN FAGG, Planning & Development Department, explained that the proposed use has adequate separation from all protected uses and would conform with all Code requirements. Staff recommended approval.



PLANNING COMMISSION MEETING OF JULY 14, 2005  
Planning and Development Department  
Item 34 – SUP-6807

**MINUTES – Continued:**

SERGE ARMANI, 2932 Whispering Wind Drive, appeared on behalf of the applicant and concurred with all conditions.

No one appeared in opposition.

CHAIRMAN NIGRO declared the Public Hearing closed.

(9:31 – 9:33)

**3-1063**

**CONDITIONS:**

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for Liquor Establishment (Off-Sale) use.
2. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. Approval of this Special Use Permit does not constitute approval of a liquor license.
4. The sale of individual containers of any size of beer, wine coolers or screw cap wine is prohibited. All such products shall remain in their original configurations as shipped by the manufacturer. Further, no repackaging of containers into groups smaller than the original shipping container size shall be permitted.
5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: JULY 14, 2005**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

**SUBJECT:**

**SUP-6808 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: RAPID CASH - OWNER: PRINCIPAL INVESTMENTS, INC.** - Request for a Special Use Permit FOR A PROPOSED AUTO TITLE LOAN AND TO ALLOW A ZERO FOOT SEPARATION FROM A SIMILAR USE WHERE 1,000 FEET IS REQUIRED AND A 160-FOOT SEPARATION FROM RESIDENTIAL WHERE 200 FEET IS REQUIRED which is adjacent to the southwest corner of Rancho Drive and Washington Avenue (APN 139-29-301-001), C-1(Limited Commercial) Zone, Ward 5 (Weekly).

**C.C.: 08/17/05 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>2</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends DENIAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

**MOTION:**

**TRUESELLE – Motion to HOLD IN ABEYANCE Item 1 [TMP-6609] and Item 37 [SUP-6932] to the 7/28/2005 Planning Commission Meeting; Item 18 [ZON-7051], Item 19 [SDR-6940] and Item 35 [SUP-6808] to the 8/11/2005 Planning Commission Meeting; and TABLE Item 21 [ZON-6880] – UNANIMOUS**

**MINUTES:**

There was no discussion.

(6:06 – 6:08)

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: JULY 14, 2005**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

**SUBJECT:**

**SUP-6876 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: SAMCON, INC. - OWNER: GGPIVANHOE II, INC. - Request for a Special Use Permit FOR A PROPOSED TAVERN AND A WAIVER FROM THE 400 FOOT DISTANCE SEPARATION REQUIREMENT FROM AN EXISTING SCHOOL at 4300 Meadows Lane, Suite #243 (APN 139-31-510-019), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian).**

**C.C.: 08/17/05 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

**109**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

**0**

**RECOMMENDATION:**

Staff recommends DENIAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

**MOTION:**

**EVANS – NO RECOMMENDATION – Motion for DENIAL failed with GOYNES, NIGRO and STEINMAN voting NO and TRUESDELL abstaining because his office is located within the Notification Area, which resulted in a tie vote and the item going forward to the City Council with No Recommendation**

**To be forwarded to City Council with No Recommendation 8/17/2005**

**MINUTES:**

CHAIRMAN NIGRO declared the Public Hearing open.

FLINN FAGG, Planning & Development Department, explained that the applicant received approval for a supper club for this location in January of 2005 and is now requesting to convert the site from a supper club to a tavern. An ordinance was adopted in February of 2005 to allow waivers of the separation distance requirement for taverns located within regional malls. He noted

PLANNING COMMISSION MEETING OF JULY 14, 2005  
Planning and Development Department  
Item 36 – SUP-6876

**MINUTES – Continued:**

that in June of 2005, Business Services issued a letter to the applicant because they were failing to operate in accordance with the supper club requirements. The subject site is located within 400 feet of an elementary school that is located on the south side of Meadows Lane. Staff had concerns including the accessibility of the tavern from the interior of the mall and because the 24-hour nature of the proposed tavern is inconsistent with the other operations of the mall. Staff recommended denial of the request.

SEAN HIGGINS, 1027 Garden Glen Lane, appeared on behalf of the applicant. He stated that the only mall the ordinance, which was approved in April of 2005, affected was the Meadows Mall. Staff recommended denial of his application and he did not understand it. The current use is a supper club, and there are five gaming devices being operated, which is allowable in a supper club. As a supper club, the site is also permitted to sell alcohol for on-premise consumption and that is currently occurring as well. A tavern would allow an additional 10 gaming devices to be placed in the bar and would reduce some of the requirements relating to staffing, food service requirements and the amount of food sales versus alcohol sales. The area needs renovation, and this is the first restaurant in the vicinity to open in several years.

The requested waiver is a 400 foot waiver from a nearby school. The actual distance from the property line of the Meadows Mall to the entrance of the tavern is 1,172 feet and the right-of-way is 80 feet wide. So the actual distance from the door of the tavern to the back side of DW Griffith Elementary school is approximately 1,200 feet. Additionally, that school has no direct access to Meadows Lane. Access to the school is off of Alta Drive.

MR. HIGGINS pointed out that his tavern is located within a large retail development and that is where most taverns around town are located. The difference is that his tavern is enclosed whereas most taverns are on a separate pad. Staff was concerned that there was an access from the interior of the mall. He assured the Commission that anyone entering from that area will be greeted by a hostess who will direct them into the bar or restaurant depending on which is appropriate. Taverns are often put next to more intense uses which close no later than 10:00 p.m. so the uses offset each other. The Freemont Street Experience has a tavern which also offers bowling and an arcade and his tavern would have no amenities for children.

MR. HIGGINS concluded by stating he could not concur with Conditions 6 through 10 because those conditions impose supper club requirements pertaining to issues such as food service, menu requirements and staffing. MR. HIGGINS informed the Commission that he was a licensed operator in the City of Las Vegas and was well aware of his duties and responsibilities with regard to this location.

PLANNING COMMISSION MEETING OF JULY 14, 2005  
Planning and Development Department  
Item 36 – SUP-6876

**MINUTES – Continued:**

LUCILLE LUSK, 6624 Celeste Avenue, opposed the application. The supper club has already had compliance issues and has not been in business very long. The mall is a gathering place for teens in the community and this is not needed there. Residents do not feel the use is compatible.

COMMISSIONER DAVENPORT said that in MR. HIGGIN'S presentation, he made it sound as though the ordinance change in April of 2005 guarantees the permit for a tavern. The Commissioner had problems with that attitude because MR. HIGGINS has already had compliance violations and with that history, is now asking for a tavern license. COMMISSIONER DAVENPORT indicated he had done some research regarding bars being in enclosed malls and there are none. This would set a precedent in the Valley. He thought that at the current rate of progression, the site would eventually just be a bar and the tavern use would cease. He had concerns about the restaurant/bar when it was originally proposed but supported it because a Mexican restaurant had been approved in the same mall previously. Now, he is truly concerned with the aspect of increased gaming and a license that will not require food service at night.

COMMISSIONER DAVENPORT concluded by responding to MR. HIGGINS' statement that he understood his responsibilities but only a few weeks prior, he received notice to correct non-compliance. He would not support the issue.

MR. HIGGINS disagreed with the characterizations made by COMMISSIONER DAVENPORT. He had discussed the possibility of the supper club becoming a tavern with former Councilwoman JANET MONCREIF and she was the sponsor of the ordinance change. During the midst of that process, COUNCILWOMAN TARKANIAN took office and MR. HIGGINS did not waiver from his original intention. COMMISSIONER DAVENPORT disagreed with MR. HIGGINS' implication that support of the ordinance change was support of bars being approved in regional malls. Children are dropped off at malls and bars do not belong there.

COMMISSIONER STEINMAN noted that he has seen restaurants in regional malls that sell alcohol. They are good restaurants and families go have dinner and leave. By 10:00 p.m. those establishments would be cleared out. This proposal is a different function as it is a bar which would operate 24-hours a day. The intent of the application seems like more than having a nice meal and beer to go with it. He was not sure how a bar atmosphere would interact with a mall atmosphere because he had never seen it done. MR. HIGGINS agreed that he had not seen such a scenario either because this would be the first in the City. The restaurant menu and character will not change if he received approval. The only change would be the addition of 10 gaming machines.

COMMISSIONER GOYNES noted that the main complaint given in many of the protests included in the backup reference the fact that parents drop their kids off at the mall. He found that disturbing

PLANNING COMMISSION MEETING OF JULY 14, 2005  
Planning and Development Department  
Item 36 – SUP-6876

**MINUTES – Continued:**

and thought the kids would be using their time better by studying or interacting at one of the Boys and Girls Clubs in the neighborhoods. What kids do is a result of what they learn at home. Business owners should not have to deal with such issues when parents turn their children loose at the mall. He could support the item because he has seen supper clubs in other malls. Traveling the country, he found a similar situation in Boston. Patrons can access the site from the parking lot. There is adequate security at the mall. Also, the clientele will change between who would frequent the establishment during mall hours opposed to late night. A straight line could not be walked from the school to the subject site. Accessing the site through Alta Drive is some distance. Also, the Commissioner thought MR. HIGGINS was qualified to operate with the requested permit.

COMMISSIONER EVANS said that a distinction he would make between the bars seen at the mall in Boston compared to this bar would be the 15 gaming machines. He was concerned because so many institutions are becoming video poker bars. The Code does not allow this use in this location and he would not be supporting the item. The Commissioner thought the current uses which allowed five gaming machines and the service of alcohol with meals was sufficient for the facility. A 24-hour operation with the primary function of playing video poker is not appropriate for the location.

CHAIRMAN NIGRO asked which conditions the applicant wanted stricken. MR. HIGGINS did not want to keep Condition 7, requiring 125 minimum seats. If the tavern was successful but the exterior seating was not being utilized, he would remove it. That would reduce the seating to 100 and MR. HIGGINS would accept a condition to keep a minimum chair count of 100. CHAIRMAN NIGRO did not want the restaurant use eliminated. Conditions 8, 9 and 10 related to the difference between a tavern and a supper club in relation to food service and MR. HIGGINS asked they be deleted.

CHAIRMAN NIGRO felt the differences between five and 10 machines or a supper club and a tavern did not affect the school at all. The requested use is no more detrimental to the area because there is already gaming and alcohol with the current use. Regarding the violation that needed correction, it was a serious issue but it was taken care of. The applicant and his family have operated similar facilities successfully around the Valley and he felt MR. HIGGINS was qualified to run this site appropriately. The Fashion Show mall has children at it constantly and there is a large outdoor area that does and will increase its gaming and alcohol components.

COMMISSIONER TROWBRIDGE acknowledged from a business standpoint how having the tavern would be beneficial to the applicant. He noted, however, that a compelling reason was not given to support how the approval of the application would benefit the community. If there were a justification given as such, he could support the item.

PLANNING COMMISSION MEETING OF JULY 14, 2005  
Planning and Development Department  
Item 36 – SUP-6876

**MINUTES – Continued:**

CHAIRMAN NIGRO declared the Public Hearing closed.  
(9:33 – 10:04)  
**3-1113**

**CONDITIONS:**

Planning and Development

1. Conformance with all the requirements under Title 19.04.050 for a Tavern use.
2. Conformance with all other City code requirements and design standards of all City departments.
3. Approval of this Special Use Permit does not constitute approval of a liquor license.
4. Expiration of this Special Use Permit one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
5. Waiver of the 400-foot separation requirement from a school is hereby granted.
6. The bar area must be separated from the restaurant area by a baffler sufficient to prevent access to the bar by minors.
7. The actual seating available at all times within the restaurant area will accommodate at least one hundred twenty-five persons.
8. Alcoholic beverages are to be served in the restaurant area only in conjunction with the service of food.
9. Full-course meals will be available during all hours the bar area is open to the public.
10. A cook and food server, other than a bartender, will be on site at all times the bar area is open to the public.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: JULY 14, 2005**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

**SUBJECT:**

**SUP-6932 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER:**  
**AZRA COMMERCIAL CENTER, LLC -** Request for a Special Use Permit FOR A PROPOSED TAVERN AND A WAIVER OF THE 1,500 FOOT SEPARATION REQUIREMENT FROM A SIMILAR USE at 4440 East Washington Avenue, Suite #116 (APN 140-29-212-003), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

**APPLICANT REQUESTS THIS ITEM HELD IN ABEYANCE TO THE 07/28/05 PC**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends ABEYANCE

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

**MOTION:**

**TRUEDELL – Motion to HOLD IN ABEYANCE Item 1 [TMP-6609] and Item 37 [SUP-6932] to the 7/28/2005 Planning Commission Meeting; Item 18 [ZON-7051], Item 19 [SDR-6940] and Item 35 [SUP-6808] to the 8/11/2005 Planning Commission Meeting; and TABLE Item 21 [ZON-6880] – UNANIMOUS**

**MINUTES:**

There was no discussion.

(6:06 – 6:08)



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: JULY 14, 2005**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

**SUBJECT:**

**SUP-6944 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: 511 FREMONT, LLC - OWNER: MELE PONO HOLDING COMPANY** - Request for a Special Use Permit FOR A PROPOSED TAVERN AND A WAIVER OF THE 1500 FOOT SEPARATION REQUIREMENT FROM A SIMILAR USE at 511 Fremont Street (APN 139-34-611-014), C-2 (General Commercial) Zone, Ward 5 (Weekly).

**C.C.: 08/17/05 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

**MOTION:**

**EVANS – APPROVED** subject to conditions – **UNANIMOUS** with **TRUESDELL** abstaining because he manages a building located within the Notification Area.

**To be forwarded to City Council 8/17/2005**

NOTE: Vice Chairman Truesdell stated that he manages a building located within the notification area and although he did not think a conflict existed, in an abundance of caution, he would abstain.

**MINUTES:**

CHAIRMAN NIGRO declared the Public Hearing open.

FLINN FAGG, Planning & Development Department, explained that the application is for a proposed tavern located within the Entertainment District and the facility is eligible for a waiver from the separation requirements because of that location. He noted for the record it would be a

PLANNING COMMISSION MEETING OF JULY 14, 2005  
Planning and Development Department  
Item 38 – SUP-6944

**MINUTES – Continued:**

limited tavern establishment and that the Entertainment District Design Review Committee has reviewed and approved the proposal. Staff also recommended approval.

AARON CHEPENIK appeared on behalf of the applicant and concurred with all conditions.

No one appeared in opposition.

CHAIRMAN NIGRO declared the Public Hearing closed.

(10:04 – 10:06)  
**3-2405**

**CONDITIONS:**

Planning and Development

1. This Special Use Permit shall be issued as a "Tavern - Limited Establishment."
2. Conformance to all Minimum Requirements under Title 19.04.050 for Liquor Establishment (Tavern) use.
3. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. Approval of this Special Use Permit does not constitute approval of a liquor license.
5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

Public Works

6. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: JULY 14, 2005**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

**SUBJECT:**

**SUP-6945 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CINGULAR WIRELESS - OWNER: LM MINI STORAGE LIMITED PARTNERSHIP** - Request for a Major Amendment to an approved Special Use Permit (U-0106-99) TO EXTEND THE HEIGHT OF AN EXISTING WIRELESS COMMUNICATION FACILITY, NON-STEALTH DESIGN FROM 60 FEET TO 72 FEET at 2101 Rock Springs Drive (APN 138-22-610-010), C-1 (Limited Commercial) Zone, Ward 4 (Brown).

**C.C.: 08/17/05 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

**0**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

**0**

**RECOMMENDATION:**

Staff recommends DENIAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

**MOTION:**

**TRUEDELL – DENIED – UNANIMOUS with STEINMAN abstaining because he is a member of the board of Sun City Summerlin and they have negotiated with Cingular in the past and have another negotiation pending**

**This is Final Action**

**MINUTES:**

CHAIRMAN NIGRO declared the Public Hearing open.

FLINN FAGG, Planning and Development Department, explained that staff had two concerns regarding this request to extend the height of the tower. First, there was a condition attached to the original application requiring the tower be painted to match the principle building on the site. To date, that has not been done. Secondly, there are concerns about the impact of co-locating additional antennas on the tower. Because of these concerns, staff recommended denial.

PLANNING COMMISSION MEETING OF JULY 14, 2005  
Planning and Development Department  
Item 39 – SUP-6945

**MINUTES – Continued:**

TRACY CLINE, 320 East Warm Springs Road, appeared on behalf of the applicant. Referencing an area photo, MR. CLINE stated that the tower is located in the southwest corner of the subject property, near Lake Mead Boulevard and the I-95 interchange. The only residential in the area is an apartment complex about 300 feet north of the tower. Those apartments do not have a good view as it is, so increasing the height of the tower would not make the view worse. He showed several photos of the tower from different perspectives to show the commercial intensity surrounding the tower. The commercial development in this area has increased since the tower was originally installed.

The reason a stealth tower was not requested for this location is because Sprint owns the tower, not Cingular. It is an old AT&T site. The tower could be replaced with a stealth system but it would be very costly. Cingular is happy to convert their own sites to sell but did not want to do that for another carrier because the other carrier would own the stealth equipment. It would be cheaper for Cingular to abandon this site and build another stealth tower nearby. MR. CLINE noted that the tower does meet the City's requirements for this modification request. City Code encourages joint use of towers and money has been invested. The applicant would like to stay with this tower and continue the joint use. If it is approved, Cingular will agree to paint the tower to bring Sprint's facility into conformance with the original use permit.

COMMISSIONER EVANS asked why the tower was not painted. MR. CLINE indicated the applicant did not own the tower and Sprint should have met that condition. The Commissioner thought a stealth facility should have been approved for this site in the first place and was disappointed that the tower was not painted. He felt the communications companies lack desire to work together and that is to the detriment of the community.

COMMISSIONER EVANS also asked MR. CLINE to explain his statement regarding the nearby apartment residents not opening their windows. Someone who rents a home is as entitled to a view as much as a homeowner. MR. CLINE stated the view is ugly now and that is why they would not open their windows. He stated this site is co-located by Sprint and Cingular. When this tower was built, there was no technology for stealth facilities. In the last two years, stealth has become the standard. MR. CLINE informed the Commission that if the approval is contingent on making the site stealth, Cingular will build a stealth facility nearby that they will own. They will not convert this site to stealth for Sprint.

VICE CHAIRMAN TRUESDELL asked if the Cingular consolidation will cause some of these older towers to migrate out of the system. MR. CLINE said it is possible. VICE CHAIRMAN TRUESDELL suggested it might be a benefit to encourage the carriers to convert to stealth. He

PLANNING COMMISSION MEETING OF JULY 14, 2005  
Planning and Development Department  
Item 39 – SUP-6945

**MINUTES – Continued:**

acknowledged that the technology was non-existent when this tower was built, but it is now available and there is an appetite for it. In the past, the Vice Chairman has not supported towers that look like the subject tower and he could not support raising it. He commended MR. CLINE for the applicant's willingness to paint the tower and consider stealth but if the main reason to not stealth the tower is because Sprint owns it, that is unacceptable. The companies co-locate at that site and both companies would benefit.

MR. CLINE stated the tower will not go away even if Cingular takes their antennas down and rebuilds nearby. The tower will remain for some time because it is in such a valuable location near the freeway.

COMMISSIONER EVANS asked if the cellular phone industry is making arrangements to place antennas atop the upcoming high-rise condominium projects. MR. CLINE stated it would be a wonderful opportunity but the property owners have to consent to having the antennas and equipment on their roofs. Currently, there are antennas on strip properties and rooftops in town but it is too soon to tell if the high-rise developers will allow it.

No one appeared in opposition.

CHAIRMAN NIGRO declared the Public Hearing closed.

(10:06 – 10:23)  
**3-2497**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: JULY 14, 2005**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

**SUBJECT:**

**SDR-6939 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/ OWNER: JIM MARSH AMERICAN CORPORATION** - Request for a Site Development Plan Review FOR A PROPOSED 39,053 SQUARE FOOT COMMERCIAL BUILDING AND WAIVERS OF THE PERIMETER, PARKING LOT AND FOUNDATION LANDSCAPING REQUIREMENTS on 19.52 acres adjacent to the southeast corner of Centennial parkway and Riley Street (APN 125-29-510-005, and 125-29-510-008), T-C (Town Center) Zone, Ward 6 (Ross).

**C.C. 08/17/05**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

**MOTION:**

**TRUEDELL – APPROVED subject to conditions – UNANIMOUS**

**To be forwarded to City Council 8/17/2005**

**MINUTES:**

CHAIRMAN NIGRO declared the Public Hearing open on Item 40 [SDR-6939] and Item 41 [SDR-7464].

FLINN FAGG, Planning and Development Department, explained that the application was for a proposed paint and body structure to the existing dealership. It would be located immediately east of the dealership building. Parking lot and perimeter landscaping waivers from the Town Center Development Standards are necessary. Because the building is proposed as interior to other commercial properties, staff supported the waivers.

PLANNING COMMISSION MEETING OF JULY 14, 2005  
Planning and Development Department  
Item 40 – SUP-6939

**MINUTES – Continued:**

JIM MARSH, 2445 East Sahara Avenue, and ED DELORENZO, Architect, 1301 Green Valley Parkway, appeared on behalf of the applicant and requested clarification on Conditions 3 and 5, which pertained to landscaping. MR. DELORENZO felt they were contradictory. MARGO WHEELER, Planning and Development Department, explained that Condition 5 only stipulated that the maximum amount of turf allowed would be 15 percent of the total landscaped area. It is not a minimum requirement.

MR. DELORENZO then stated that that Condition 16 on this application, which was also on the subsequent Item 41 [SDR-7464], required half street improvements on Riley Street and Regina Avenue. He felt it would be more appropriate to condition Item 40 with improvements on Regina Street and Item 41 with improvements on Riley Street. CHAIRMAN NIGRO confirmed with DAVID GUERRA, Public Works Department, that the same condition was imposed on both applications because both Site Development Reviews used the same site plan. MR. DELORENZO stated the applications were originally submitted as one application but staff required they be submitted separately. It will be one project. CHAIRMAN NIGRO opened Item 41 [SDR-7464] so the items could be discussed together.

MR. FAGG explained that it is unusual for the Board to see two applications from the same property owner. In this case, however, the project covers two separate parcels of record that are separate and distinct from the dealership. Also, the reason staff recommended approval of Item 40 is because the auto body shop is buffered by other commercial properties and that lessens the impact of the proposal. The parking lot expansion, Item 41, is located on the street and several waivers from Town Center Standards are necessary.

MR. DELORENZO stated the applicant was in full concurrence regarding the required development and landscaping of Centennial Parkway. The requested waiver relates to the interior parking and car storage area. The applicant proposed placing landscaping fingers at the ends of parking rows on both the east and west side of the lots. But for the area used to maintain and store vehicles, the applicant did not want trees that could damage the vehicles. Other car dealerships in that area seem to have received similar waivers.

CHAIRMAN NIGRO felt the main concern regarding Item 41 pertained to landscaping. He thought if the applicant met the Code on the perimeter landscaping, the interior could be reduced. COMMISSIONER TROWBRIDGE concurred.

VICE CHAIRMAN TRUESDELL asked about the landscaping being shown behind the auto body shop. MR. DELORENZO confirmed that the plan did show the area as being landscaped but they are asking for a waiver to not have to do that. The Commissioner was concerned about

PLANNING COMMISSION MEETING OF JULY 14, 2005  
Planning and Development Department  
Item 40 – SUP-6939

**MINUTES – Continued:**

having a consistent streetscape along Centennial Parkway. He found the applicant's proposal acceptable.

No one appeared in opposition.

CHAIRMAN NIGRO declared the Public Hearing closed on Item 40 [SDR-6939] and Item 41 [SDR-7464].

(10:23 – 10:39)

**3-3388/4-1**

**CONDITIONS:**

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City of Las Vegas
2. All development shall be in conformance with the site plan and building elevations, date stamped 05/31/05, except as amended by conditions herein.
3. A Waiver from Title 19.12 for perimeter, foundation, and parking lot landscaping standards is hereby approved.
4. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect an enclosed and roofed trash enclosure, the proper number of handicap accessible parking spaces, and a loading zone.
5. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 15% of the total landscaped area as turf.
6. A permanent underground sprinkler system shall be installed in all landscape areas as required by the City of Las Vegas and shall be permanently maintained in a satisfactory manner.
7. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. The landscape plan shall include irrigation specifications.



PLANNING COMMISSION MEETING OF JULY 14, 2005  
Planning and Development Department  
Item 40 – SUP-6939

**CONDITIONS – Continued:**

8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
10. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials, and shall conform with the requirements listed in Title 19.08. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
11. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize downward-directed lights. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
12. A Master Sign Plan shall be submitted for approval of the Centennial Hills Architectural Review Committee—Town Center (CHARC-TC) prior to the issuance of a Certificate of Occupancy for any building on the site and prior to the issuance of any sign permits.
13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
14. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

15. Dedicate or obtain appropriate right-of-way for the entire terminus of Regena Avenue prior to or concurrent with the commencement of on-site development activities.
16. Construct half-street improvements including appropriate overpaving on Riley Street and the terminus for Regena Avenue adjacent to this site concurrent with development. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete). This site shall be responsible for all, if any, half-street improvements on Centennial Parkway that are not constructed by a special or capital improvement project.

PLANNING COMMISSION MEETING OF JULY 14, 2005  
Planning and Development Department  
Item 40 – SUP-6939

**CONDITIONS – Continued:**

17. Remove property walls from the existing Public Sewer Easement along the Regena Avenue alignment. Property walls are not allowed within existing public sewer easements.
18. Provide a copy of a recorded Joint Access Agreement between all the parcels comprising this site prior to the issuance of any permits.
19. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.
20. Site development to comply with all applicable conditions of approval for the Centennial Hills Center (Commercial Subdivision) and all other subsequent site-related actions.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: JULY 14, 2005**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

**SUBJECT:**

**SDR-7464 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SDR-6939 - PUBLIC HEARING - APPLICANT/OWNER: JIM MARSH AMERICAN CORPORATION -**  
 Request for a Site Development Plan Review FOR A PROPOSED PARKING LOT AND A WAIVER OF THE PARKING LOT AND PERIMETER LANDSCAPING REQUIREMENTS on 1.86 acres adjacent to the southeast corner of Centennial Parkway and Riley Street (a portion of APN 125-29-502-003), T-C (Town Center) Zone, Ward 6 (Ross).

**C.C. 08/17/05**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

**0**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

**0**

**RECOMMENDATION:**

Staff recommends DENIAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

**MOTION:**

**TRUESDELL – APPROVED** subject to conditions and amending the following conditions:

3. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect compliance with *perimeter and streetscape* requirements of the Town Center Development standards.
4. The conceptual landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree *to match the existing landscape in front of the dealership.*

– UNANIMOUS

**MINUTES:**

See Item 40 for related discussion on Item 40 [SDR-6939] and Item 41 [SDR-7464].

PLANNING COMMISSION MEETING OF JULY 14, 2005  
Planning and Development Department  
Item 41 – SDR-7464

**MINUTES – Continued:**

(10:23 – 10:39)

**3-3388/4-1**

**CONDITIONS:**

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City of Las Vegas
2. All development shall be in conformance with the site plan and building elevations, date stamped 06/22/05, except as amended by conditions herein.
3. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect compliance with the parking lot and offsite design requirements of the Town Center Development Standards.
4. The conceptual landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within a three foot tall planter berm along the street.
5. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 15%.
6. A permanent underground sprinkler system shall be installed in all landscape areas as required by the City of Las Vegas and shall be permanently maintained in a satisfactory manner.
7. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. The landscape plan shall include irrigation specifications.
8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

PLANNING COMMISSION MEETING OF JULY 14, 2005  
Planning and Development Department  
Item 41 – SDR-7464

**CONDITIONS – Continued:**

9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
10. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials, and shall conform with the requirements listed in Title 19.08. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
11. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize downward-directed lights. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
12. A Master Sign Plan shall be submitted for approval of the Centennial Hills Architectural Review Committee—Town Center (CHARC-TC) prior to the issuance of a Certificate of Occupancy for any building on the site and prior to the issuance of any sign permits.
13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
14. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

15. Dedicate or obtain appropriate right-of-way for the entire terminus of Regena Avenue prior to or concurrent with the commencement of on-site development activities.
16. Construct half-street improvements including appropriate overpaving on Riley Street and the terminus for Regena Avenue adjacent to this site concurrent with development. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete). This site shall be responsible for all, if any, half-street improvements on Centennial Parkway that are not constructed by a special or capital improvement project.

PLANNING COMMISSION MEETING OF JULY 14, 2005  
Planning and Development Department  
Item 41 – SDR-7464

**CONDITIONS – Continued:**

17. Remove property walls from the existing Public Sewer Easement along the Regena Avenue alignment. Property walls are not allowed within existing public sewer easements.
18. Provide a copy of a recorded Joint Access Agreement between all the parcels comprising this site prior to the issuance of any permits.
19. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.
20. Site development to comply with all applicable conditions of approval for the Centennial Hills Center (Commercial Subdivision) and all other subsequent site-related actions.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: JULY 14, 2005**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

**SUBJECT:**

**SDR-6883 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING -**  
**APPLICANT: RANDY SPITZMESSER - OWNER: CITY OF LAS VEGAS -** Request for a Site Development Plan Review FOR TEMPORARY STRUCTURES FOR AN ANIMAL SHELTER on 8.39 acres adjacent to the southwest corner of Mojave Road and Harris Avenue (APN 139-25-405-008), C-V (Civic) Zone, Ward 3 (Reese).

**C.C. 08/17/05**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

**MOTION:**

**DAVENPORT – APPROVED subject to conditions – UNANIMOUS**

**To be forwarded to the City Council 8/17/2005**

**MINUTES:**

CHAIRMAN NIGRO declared the Public Hearing open.

FLINN FAGG, Planning and Development Department, explained that the temporary structures proposed would house administrative functions as well as animals while the new facility is under construction. The temporary structures would occupy the space that would eventually become the new parking lot. The intended time frame for the structures to be onsite is approximately five months; however, in case that time frame needs to be extended, staff has included a condition that allows a one-year review.

PLANNING COMMISSION MEETING OF JULY 14, 2005  
Planning and Development Department  
Item 42 – SDR-6883

**MINUTES – Continued:**

RICHARD SURFACE and KEY REED, 901 North Green Valley Parkway, appeared on behalf of the Lied Animal Shelter and concurred with all conditions.

No one appeared in opposition.

CHAIRMAN NIGRO declared the Public Hearing closed.

(10:39 – 10:41)

**4-399**

**CONDITIONS:**

Planning and Development

1. This Site Development Plan Review shall be subject to a one year review.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City of Las Vegas.
3. All development shall be in conformance with the site plan and building elevations, date stamped 05/27/05, except as amended by conditions herein.
4. A permanent underground sprinkler system shall be installed in all landscape areas as required by the City of Las Vegas and shall be permanently maintained in a satisfactory manner.
5. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. The landscape plan shall include irrigation specifications.
6. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
7. Air conditioning units shall not be mounted on rooftops.
8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.



PLANNING COMMISSION MEETING OF JULY 14, 2005  
Planning and Development Department  
Item 42 – SDR-6883

**CONDITIONS – Continued:**

9. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials, and shall conform with the requirements listed in Title 19.08. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
10. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize downward-directed lights. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
11. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. All City Code requirements and design standards of all City departments must be satisfied.

**Public Works**

14. All temporary improvements associated with this site shall be removed at the time of termination of the temporary use.
15. All landscaping and signage installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
16. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans, the issuance of any building or grading permits or the submittal of map subdividing this site, whichever may occur first. Provide and improve all drainage ways as recommended.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: JULY 14, 2005**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

**SUBJECT:**

**SDR-6903 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: CENTURY STEEL, INC. - Request for a Site Development Plan Review TO ADD EXTERIOR WALLS TO AN EXISTING 14,400 SQUARE FOOT STRUCTURE AND WAIVERS OF THE PERIMETER AND FOUNDATION LANDSCAPING REQUIREMENTS on 0.69 acres at 3450 Meade Avenue (APN 162-08-301-005), M (Industrial) Zone, Ward 1 (Tarkanian).**

**P.C. FINAL ACTION**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>1</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

**MOTION:**

**EVANS – APPROVED subject to conditions and deleting Condition 4 – UNANIMOUS**

**This is Final Action**

**MINUTES:**

CHAIRMAN NIGRO declared the Public Hearing open.

FLINN FAGG, Planning and Development Department, explained that the addition of walls to the subject structure would help mitigate noise produced by the facility.

GEORGE ROGERS, Architect, 4625 South Polaris Avenue, Suite 216, appeared on behalf of the applicant and concurred with all conditions. He noted that Condition 4 required a revision to the site plan to show a proposed fire riser room; however, he had erroneously labeled the existing fire riser room as “new” on the elevations and that is what caused the confusion. He apologized

PLANNING COMMISSION MEETING OF JULY 14, 2005  
Planning and Development Department  
Item 43 – SDR-6903

**MINUTES – Continued:**

for the error and asked that Condition 4 be deleted as the site plan is accurate as submitted to staff. The elevation should have the word “new” stricken.

BOB VERALLO, President, Meadows Manufactured Home Community Association, 2900 South Valley View Boulevard, #72, stated that the park is behind the subject facility and it generates a lot of noise. The park community is in support of the application and hoped it did serve its purpose for noise abatement.

No one appeared in opposition.

CHAIRMAN NIGRO declared the Public Hearing closed.  
(10:41 – 10:45)

**4-484**

**CONDITIONS:**

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All City Code requirements and design standards of all City departments must be satisfied.
3. All development shall be in conformance with the site plan and building elevations, date stamped 05/31/05 except as amended by conditions herein.
4. The site plan shall be revised and approved by Planning and Development Department staff; prior to the time application is made for a building permit, to reflect the proposed fire riser room. The proposed fire riser room shall conform to all provisions of Title 19.
5. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets except single-family residential development. Air conditioning units shall not be mounted on rooftops residential development.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: JULY 14, 2005**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

**SUBJECT:**

**SDR-6936 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/ OWNER: SANTA FE STATION, INC. -** Request for a Site Development Plan Review FOR A PROPOSED 118,000 SQUARE FOOT CASINO EXPANSION AND A 2,910 SPACE PARKING STRUCTURE WITH WAIVERS OF THE PARKING LOT, PERIMETER AND FOUNDATION LANDSCAPING REQUIREMENTS on 35.1 acres at 4949 North Rancho Drive (APN 125-34-801-001), C-2 (General Commercial) Zone, Ward 6 (Ross).

**C.C. 08/17/05**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>1</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>2</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted at Meeting – Site Plan and Elevations date stamped 7/14/2005 submitted by Staff

**MOTION:**

**TRUESDELL – APPROVED** subject to conditions and amending the following condition:

2. All development shall be in conformance with the site plan and building elevations, date stamped 7/14/2005, except as amended by conditions herein.

– UNANIMOUS

**To be forwarded to the City Council 8/17/2005**

**MINUTES:**

CHAIRMAN NIGRO declared the Public Hearing open.

FLINN FAGG, Planning and Development Department, explained that a new site plan and elevations, date stamped 7/14/2005, were included in the Commissioners' backup. The applicant

PLANNING COMMISSION MEETING OF JULY 14, 2005  
Planning and Development Department  
Item 44 – SDR-6936

**MINUTES – Continued:**

had met with staff prior to the meeting to discuss the revisions shown in those new plans. The ramp to the parking structure was realigned and there were minor changes to the façade elements. These changes did not have a material impact on the request as far as parking requirements or setbacks. Staff accepted the revised plans as part of the application package.

The request does require waivers from the perimeter and parking lot landscaping requirements and staff supported those waivers based on landscaping being provided in other areas and some specific conditions. Staff was still concerned with the parking structure and conditioned the application so that the applicant must provide revised elevations on the parking structure. With that condition in place, staff recommended approval.

THOR WYNKOOP, Architect, TSA Nevada, 3110 South Rainbow Boulevard, Suite 104, appeared on behalf of the applicant and concurred with all conditions.

RICHARD RADCLIFF, 4928 Forest Oaks Drive, stated his residence is located across the freeway from the front entrance of the subject casino. He informed the Commission that he had suffered from late night noise nuisance. He had spoken with COUNCILMAN MACK, the police and the corporate office of the Santa Fe Casino. That issue was resolved but MR. RADCLIFF feared the work associated with this application would start the noise problems all over again. He asked that a condition be imposed limiting the hours of construction. He acknowledged that the expansion is good for the community but it prevents him from sleeping.

JOHN HUSS, 4924 Forest Oaks Drive, concurred with the statements of MR. RADCLIFF and questioned allowing a four-story parking structure to be constructed. He wanted assurance that the parking structure would be aesthetically pleasing. MR. RADCLIFF also stated that perhaps security could help abate the noise problem associated with the movie theatre. When the shows are over, there is a lot of noise in the parking lot and it interrupts his sleep.

MR. WYNKOOP replied that efforts have been taken to landscape the west side to provide a landscaping buffer to assist with noise abatement. Regarding security, he would let Station Casinos know of the concerns, and they can make an in-house recommendation to the security staff to monitor the situation.

VICE CHAIRMAN TRUESDELL asked Public Works staff if there were any plans for a sound wall along the west side of the 95 freeway in that location. RICK SCHROEDER, Public Works, stated that he did not have any specific knowledge and would have to check with Nevada Department of Transportation. The Vice Chairman thought that a wall in that location would mitigate the noise. MR. HUSS said a wall would not block the noise coming from a four-

PLANNING COMMISSION MEETING OF JULY 14, 2005  
Planning and Development Department  
Item 44 – SDR-6936

**MINUTES – Continued:**

story garage. VICE CHAIRMAN TRUESDELL thought security would be able to control people yelling in the structure.

COMMISSIONER DAVENPORT confirmed with MR. RADCLIFF and MR. HUSS that they had the appropriate numbers to call if there were problems. CHAIRMAN NIGRO asked MR. FAGG about the City's Code for construction noise. The City has a nuisance ordinance relative to the hours of construction and that is handled through Code Enforcement.

COMMISSIONER STEINMAN asked how parking would be handled during construction of the parking structure. MR. WYNKOOP said that weekly meetings are being held to discuss and resolve issues such as parking. They have discussed having temporary parking facilities and taking staff and construction parking offsite with shuttles. The casino has calculated what the peak loads would be and will be able to accommodate it. COMMISSIONER STEINMAN confirmed with MR. WYNKOOP that this will be a fast tracked project like Red Rock Station. The Commissioner was concerned that if they worked around the clock to fast track the project, the residents' concerns about noise at night would be justifiable. MR. WYNKOOP said there had not been discussion to work double shifts yet.

VICE CHAIRMAN TRUESDELL said he would support the application because the expansion fits the character of the property. He did ask if the applicant would have to come back before the Board with changes to their sign program. MR. FAGG confirmed that the property did have a Master Sign Plan and he thought modifications would have to be heard by the Commission. VICE CHAIRMAN TRUESDELL thought the signage might be of concern because it will be so much closer to the residential.

CHAIRMAN NIGRO declared the Public Hearing closed.

(10:45 – 11:00)

**4-603**

**CONDITIONS:**

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City of Las Vegas.
2. All development shall be in conformance with the site plan and building elevations, date stamped 05/31/05, except as amended by conditions herein

PLANNING COMMISSION MEETING OF JULY 14, 2005  
Planning and Development Department  
Item 44 – SDR-6936

**CONDITIONS – Continued:**

3. A Waiver from the parking lot landscaping and perimeter landscaping requirements is hereby approved.
4. A permanent underground sprinkler system shall be installed in all landscape areas as required by the City of Las Vegas and shall be permanently maintained in a satisfactory manner.
5. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. The landscape plan shall include irrigation specifications.
6. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
7. The elevations shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, with additional architectural features for the parking structure in order to comply with the Commercial Development Standards.
8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
10. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize downward-directed lights. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
11. A Master Sign Plan shall be submitted for approval by the City of Las Vegas prior to the issuance of a Certificate of Occupancy for any building on the site and prior to the issuance of any sign permits.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

PLANNING COMMISSION MEETING OF JULY 14, 2005  
Planning and Development Department  
Item 44 – SDR-6936

**CONDITIONS – Continued:**

13. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

14. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or the submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
15. An addendum to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study. A portion of this site is located in a Federal Emergency Management Act (FEMA) Zone “AE” flood zone.
16. Site development to comply with all applicable conditions of approval for Z-32-85 and all other subsequent site-related actions.



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: JULY 14, 2005**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

**SUBJECT:**

**SDR-6956 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING – APPLICANT/OWNER: WILLIE C. TATE JR -** Request for a Site Development Plan Review TO ADD TWO UNITS TO AN EXISTING MULTI-FAMILY DEVELOPMENT on 0.32 acres at 1011 "E" Street (APN 139-27-210-066), R-4 (High Density Residential) Zone, Ward 5 (Weekly).

**P.C. FINAL ACTION**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

**MOTION:**

**DAVENPORT – APPROVED** subject to conditions and deleting Condition 9 –  
**UNANIMOUS**

**This is Final Action**

**MINUTES:**

CHAIRMAN NIGRO declared the Public Hearing open.

FLINN FAGG, Planning and Development Department, explained that the application proposes adding two units to the existing five units onsite. The request complies with the density in the zone. There is a waiver request from perimeter landscape requirements due to the existing configuration of the site and staff supported the request.

WILLIE TATE, applicant, 6624 Lawton Avenue, appeared and stated he had some questions regarding some of the conditions. His first question pertained to number 9, which stated air

PLANNING COMMISSION MEETING OF JULY 14, 2005  
Planning and Development Department  
Item 45 – SDR-6956

**MINUTES – Continued:**

conditioning units would not be mounted on rooftops. Roof mount air conditioners have already been purchased for this project but they would not be visible from the street or the adjacent apartment building. He asked that the condition be deleted. MARGO WHEELER, Planning and Development Department, suggested that Condition 9 could be deleted because Condition 8 adequately covered the requirement.

MR. TATE then requested an explanation of Condition 16 regarding a 15-foot radius dedication. DAVID GUERRA, Department of Public Works, explained the condition is a standard condition for the radius corner of Jefferson Avenue and E Street. The applicant is currently showing a 10-foot radius in their design. The standard is 15 feet. MR. TATE was agreeable with the condition as written.

Finally, MR. TATE asked if he could take the fence from his property all the way to the street on Jefferson Avenue. The property belongs to the City but he will do landscaping in that area. MR. FAGG informed him that the fence must remain on his property. The sidewalk is most likely in the public right-of-way. Partial vacations are not allowed for situations such as these; the entire block must be vacated. COMMISSIONER DAVENPORT suggested that MR. TATE could speak to neighbors about a block vacation.

COMMISSIONER GOYNES asked MR. TATE to increase the landscaping on his site and gave him the address of a nearby property that would serve as a good model.

No one appeared in opposition.

CHAIRMAN NIGRO declared the Public Hearing closed.

(10:39 – 10:41)

**4-399**

**CONDITIONS:**

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, date stamped 05/31/05, except as amended by conditions herein.
3. A Waiver from the perimeter landscaping standard of Title 19.12 to allow a two foot side buffer where six feet is required is hereby approved.

PLANNING COMMISSION MEETING OF JULY 14, 2005  
Planning and Development Department  
Item 45 – SDR-6956

**CONDITIONS – Continued:**

4. The conceptual landscape plan shall be revised and approved by Planning and Development Department staff prior to the time application is made for a building permit. The landscape plan shall reflect minimum of four five-gallon shrubs for each 24-inch box tree within the buffer along the streets and the perimeter and six feet of planting around the foundations of the buildings. An additional 24-inch box tree shall be added along the perimeter.
5. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 15% of the total landscaped area as turf.
6. A permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.
7. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. The landscape plan shall include irrigation specifications.
8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
9. Air conditioning units shall not be mounted on rooftops.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
11. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials, and shall conform with the requirements listed in Title 19.08. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
12. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.

PLANNING COMMISSION MEETING OF JULY 14, 2005  
Planning and Development Department  
Item 45 – SDR-6956

**CONDITIONS – Continued:**

13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
14. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

15. Coordinate with the City Surveyor prior to the submittal of any construction drawings for this site to determine if mapping is necessary; comply with the recommendations of the City Surveyor.
16. Dedicate a 15 foot radius on the southwest corner of Jefferson Avenue and E Street prior to the issuance of any permits. Coordinate with the Right-of-Way Section of the Department of Public Works for assistance with preparing the appropriate documents.
17. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
18. Landscape and maintain all unimproved rights-of-way on Jefferson Avenue and E Street adjacent to this site.
19. Submit an Encroachment Agreement for all landscaping and private improvements located in the Jefferson Avenue and E Street public rights-of-way adjacent to this site prior to occupancy of this site.
20. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans, the issuance of any building or grading permits or the submittal of map subdividing this site, whichever may occur first. Provide and improve all drainageways as recommended.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: JULY 14, 2005**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

**SUBJECT:**

**MSP-6910 - MASTER SIGN PLAN - PUBLIC HEARING - APPLICANT/OWNER: SHADOW HILLS PLAZA, LLC** - Request for a Master Sign Plan FOR A PROPOSED COMMERCIAL DEVELOPMENT adjacent to the northwest corner of Cheyenne Avenue and Shady Timber Street (APN 137-12-817-002 and 137-12-817-005), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development) Zone, Ward 4 (Brown).

**P.C. FINAL ACTION**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>2</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

**MOTION:**

**TRUEDELL – APPROVED subject to conditions – UNANIMOUS**

**This is Final Action**

**MINUTES:**

CHAIRMAN NIGRO declared the Public Hearing open.

FLINN FAGG, Planning and Development Department, explained that the Master Sign Plan application has been revised from the original submittals and now complied completely with the Lone Mountain Master Plan. It will feature one, 10-foot high monument sign and three, eight-foot high monument signs on the property.

JENNIFER LAZOVICH, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant and concurred with all conditions.

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Planning and Development Department  
Item 46 – MSP-6910

**MINUTES – Continued:**

No one appeared in opposition.

CHAIRMAN NIGRO declared the Public Hearing closed.

(11:08 – 11:10)

**4-1433**

**CONDITIONS:**

Planning and Development

1. No wall signs shall be installed on the east elevation of buildings facing Shady Timber Street.
2. All signage shall have proper permits obtained through the Building and Safety Department.
3. The Monument signs shall be setback a minimum of five feet from any public right-of-way. In addition, the sign shall be set back from any driveway or street intersection so as not to create a sight restriction.
4. Illumination of the monument signs shall comply with Title 19.14.070 Residential Protection Standards.
5. All future signage located in the Shadow Hills Plaza shall be approved administratively pursuant to Title 19.14 Sign Standards and the Lone Mountain Master Plan standards. Any deviation from these standards shall require a public hearing.

Public Works

6. Signs shall not be located within the public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.
7. Site development to comply with all applicable conditions of approval for the Lone Mountain Master Development Plan, Zoning Reclassification Z-33-97 and all other applicable site-related actions.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: JULY 14, 2005**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

**SUBJECT:**

**TXT-6608 – TEXT AMENDMENT – PUBLIC HEARING - CITY OF LAS VEGAS -**  
Discussion and possible action to amend Title 19.04.010, table 2 "Land Use Tables; Title 19.04.040(C) "Conditions"; Title 19.04.050(B), "Minimum Requirements"; and 19.20.20.020 "Words and Terms Defined" to add the Land Use "Amphitheater (Outdoors)" in the C-1 (Limited Commercial) zoning district by means of an SUP (Special Use Permit) and as a Conditional Use in the C-2 (General Commercial); C-M (Commercial/Industrial); and M (Industrial) zoning districts.

**THIS WILL BE SENT TO CITY COUNCIL IN ORDINANCE FORM**

**PROTESTS RECEIVED BEFORE:**

<b>Planning Commission Mtg.</b>	<b>0</b>
<b>City Council Meeting</b>	

**APPROVALS RECEIVED BEFORE:**

<b>Planning Commission Mtg.</b>	<b>0</b>
<b>City Council Meeting</b>	

**RECOMMENDATION:**

Staff recommends NO RECOMMENDATION

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**DAVENPORT – APPROVED subject to conditions – UNANIMOUS with GOYNES not voting**

**To be forwarded to City Council in Ordinance form**

**MINUTES:**

CHAIRMAN NIGRO declared the Public Hearing open.

MARGO WHEELER, Director, Planning and Development Department, informed the Commission that this item was generated by a request from the City Council based upon a proposal for an outside amphitheatre. In researching the Code, staff discovered there was not adequate language to address the potential outdoor uses that could be considered within the City. Typically, outdoor events are covered by temporary commercial permits. This proposed

PLANNING COMMISSION MEETING OF JULY 14, 2005  
Planning and Development Department  
Item 47 – TXT-6608

**MINUTES – Continued:**

language would apply to permanent outdoor uses. In C-2 (General Commercial), M (Industrial) or C-M (Commercial/Industrial) zones, such use would be a Conditional use. In a C-1 (Limited Commercial) zone, such use would require a Special Use permit. Staff had no recommendation.

No one appeared in opposition.

CHAIRMAN NIGRO declared the Public Hearing closed.  
(11:10 – 11:13)  
**4-1495**

**CONDITIONS:**

- Title 19.04.010, Table 2 "Land Use Tables," is hereby amended to include the following:

RESIDENTIAL												PERMITTED USES	COMMERCIAL						INDUSTRIAL		
U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	Recreation, Entertainment & Amusement	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
												Amphitheater (Outdoor)					<u>S</u>	<u>C</u>		<u>C</u>	<u>C</u>

- Title 19.04.040(C), "Conditions" is hereby amended to include the following:

**Amphitheater (Outdoor) [C-2, C-M, M]**

- Hours of operation 7 a.m. to 10 p.m.
- A sound study shall be submitted with the application. The sound study shall address how noise levels will be attenuated so as not to exceed the ambient noise levels adjacent to and beyond the subject site.
- A parking study shall be presented as part of the Conditional Use.
  - Elements of engineering and traffic study.* The following elements shall be considered, as applicable, in every engineering and traffic study pertaining to stopping, standing or parking restrictions:
    - Accident analysis.



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Item 47 – TXT-6608

**CONDITIONS – Continued:**

- (2) Capacity analysis.
  - (3) Geometric review—roadway width.
  - (4) Parking measurements—parking angle, parking and maneuver area.
  - (5) Pedestrian volume within parking and maneuver area.
  - (6) Sight distance—corner sight distance.
  - (7) Speed data—speed limit.
  - (8) Traffic volumes—peak-hour traffic volume.
4. The open stage or screens shall be screen from public view from any Right of Way.
3. Title 19.04.050(B), “Minimum Requirements,” is hereby amended as follows:

**Amphitheater (Outdoor) [C-1]**

1. Hours of operation 7 a.m. to 10 p.m.
2. A sound study shall be submitted with the application. The sound study shall address how noise levels will be attenuated so as not to exceed the ambient noise levels adjacent to and beyond the subject site.
3. A parking study shall be presented as part of the Special Use Permit
  - (a) *Elements of engineering and traffic study.* The following elements shall be considered, as applicable, in every engineering and traffic study pertaining to stopping, standing or parking restrictions:
    - (1) Accident analysis.
    - (4) Capacity analysis.
    - (5) Geometric review—roadway width.
    - (4) Parking measurements—parking angle, parking and maneuver area.
    - (5) Pedestrian volume within parking and maneuver area.
    - (6) Sight distance—corner sight distance.
    - (7) Speed data—speed limit.
    - (8) Traffic volumes—peak-hour traffic volume.
4. The open stage or screens shall be screen from public view from any Right of Way.
4. Title 19.20.020 Words and Terms Defined

PLANNING COMMISSION MEETING OF JULY 14, 2005  
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Item 47 – TXT-6608

**CONDITIONS – Continued:**

**Amphitheater.** Large oval, circular, or semicircular outdoor theater with rising tiers of seats/assembling area around an open stage or screens.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: JULY 14, 2005**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

**SUBJECT:**

**TXT-7348 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS** - Discussion and possible action to amend Title 19.06.090 [I] relating to definitions of "Landmarks and Historic Properties."

**THIS WILL BE SENT TO CITY COUNCIL IN ORDINANCE FORM**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

<b>0</b>

**RECOMMENDATION:**

Staff recommends NO RECOMMENDATION

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**EVANS – APPROVED** subject to conditions – **UNANIMOUS**

**To be forwarded to the City Council in Ordinance form**

**MINUTES:**

CHAIRMAN NIGRO declared the Public Hearing open.

MARGO WHEELER, Director, Planning and Development Department, stated that the staff recommendation on this item is for approval and that should be corrected, as the Agenda Summary Page for the item shows No Recommendation.

This item will correct existing language in the Code so the language of the City ordinance is in compliance with the National Register of Historic Places language. This item came forward from the Historic Preservation Commission.

No one appeared in opposition.

CHAIRMAN NIGRO declared the Public Hearing closed.

PLANNING COMMISSION MEETING OF JULY 14, 2005  
Planning and Development Department  
Item 48 – TXT-7348

**MINUTES – Continued:**

(11:13 – 11:14)  
**4-1599**

**CONDITIONS:**

**1. Proposed Title 19 Text Amendment Re: “Landmarks” vs. “Historic Properties”**

**I. Designation of ~~Landmarks~~, Historic Properties, Landmarks and Historic Districts**

1. An individual property, building, structure or archeological site may be designated as a ~~Landmark~~ or Historic Property if it qualifies under Paragraph (a), (b) or (c) below:
  - a. It meets the criteria for listing on the State or National Register of Historic Places.
  - b. It is determined to be of exceptional significance and expresses a distinctive character because:
    - 1) A significant portion of it is at least fifty (50) years old;
    - 2) It is reflective of the City’s cultural, social, political or economic past; and
    - 3) Either:
      - a) It is associated with a person or event significant in local, state or national history; or
      - b) It represents an established and familiar visual feature of an area of the City because of its location or singular physical appearance.
  - c. It is less than fifty (50) years old, but is an integral and critical part of an Historic District ~~or~~ **and** demonstrates exceptional importance by meeting or exceeding the other criteria described in Paragraph (a) or Paragraph (b) of this Subsection.
2. An individual property, building, structure or archeological site may be designated as a Landmark if it demonstrates exceptional importance by meeting or exceeding the other criteria described in Paragraph (a) or Paragraph (b) of this Subsection.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

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**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

**SUBJECT:**

**TXT-7448 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS** - Discussion and possible action to amend Title 19.04.060 and 19.20 relating to Liquor Establishment (On-Sale/Off-Sale/On-Off-Sale).

**THIS WILL BE SENT TO CITY COUNCIL IN ORDINANCE FORM**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

**0**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

**0**

**RECOMMENDATION:**

Staff recommends NO RECOMMENDATION

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**TRUEDELL – Motion to HOLD IN ABEYANCE – UNANIMOUS**

**To be HELD IN ABEYANCE to the 7/28/2005 Planning Commission Meeting**

**MINUTES:**

CHAIRMAN NIGRO declared the Public Hearing open.

MARGO WHEELER, Director, Planning and Development Department, stated that upon review, staff discovered additional language needed to be added to this amendment. She requested the item be held in abeyance to the 7/28/2005 meeting.

No one appeared in opposition.

CHAIRMAN NIGRO declared the Public Hearing closed.

(11:14 – 11:15)

**4-1648**



**PLANNING COMMISSION AGENDA**  
**PLANNING COMMISSION MEETING OF: JULY 14, 2005**

**CITIZENS PARTICIPATION:**

ITEMS RAISED UNDER THIS PORTION OF THE PLANNING COMMISSION AGENDA CANNOT BE ACTED UPON BY THE PLANNING COMMISSION UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN COMPLIED WITH. THEREFORE, ACTION ON SUCH ITEMS WILL HAVE TO BE CONSIDERED AT A LATER TIME.

**MINUTES:**

MARGO WHEELER, Director, Planning and Development Department, reminded the Commission that the agenda package and background material for the Joint Planning Commission/City Council meeting, scheduled for Monday, July 25, 2005, was included in their backup package. The meeting will begin at 11 a.m. at the Lieburn Senior Center, located at I-95 near Jones Boulevard.

(11:15 – 11:16)

**4-1689**

**MEETING ADJOURNED AT 11:16 P.M.**

Respectfully submitted:

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STACEY CAMPBELL, DEPUTY CITY CLERK

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ANGELA CROLLI, DEPUTY CITY CLERK